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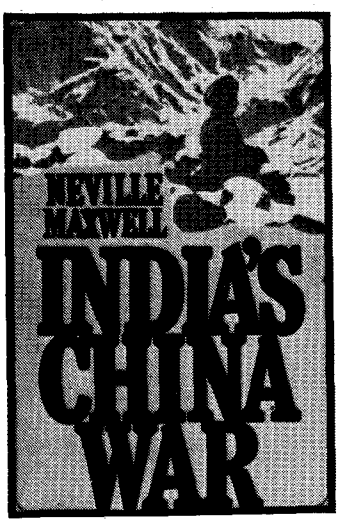

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TRB

from Washington ®

Tick, Tick, Tick

We think a tremendous shift of public attention is now going on in America that may be the dominant feature of the 1970s. There are fascinating signs of it everywhere. Right in the midst of spraying the fire hose on Europe and Asia we have suddenly noticed sparks shooting up in our own neighborhood; whose house is that? – hey, help – it's *our* house!

If you take that as your key you will find a grim connection between some of the oddest kinds of incongruities in American news: the Senate turmoil over the number of US troops in Europe, say, and the ghetto riot in Brownsville, NY, over state relief cuts; the sickening discovery that a lot of our conscript sons in Vietnam are becoming heroin addicts and the accelerating determination to end the adventure and get back to home affairs; the deep-seated reluctance of most Americans to get mixed up in the Middle East, along with the shock of seeing law-and-order Democrats in sedate Philadelphia nominate a pistol-whipping cop for mayor. Is the connection farfetched? Well, we must ameliorate our problems at home or go in for repression; one or the other, there isn't much time to choose. A nation that has gradually got overextended abroad is suddenly becoming aware of brutal problems at home, racial, social, economic. They won't wait.

Take hunger. It is easier to visualize it in personal terms. "About a month and a half ago," Senator Mondale (D, Minn.) told the McGovern Committee, "I went to a small elementary area school in our small ghetto in St. Paul. They had a splendid cafeteria and a very balanced meal, a warm meal, salad, and about every fifth child could not afford it. One child, whom I will never forget as long as I live, was about six or seven years old. She had a filthy dress on, and she sat at this table amidst the other children eating their good meal, eating a chocolate cookie. She had a little dirty bag that she brought, that her mother had sent, and two other chocolate cookies. And I asked the principal, how can this happen? And he said, 'We still don't have the money to pay for lunches when the families can't afford it.' I assume there are millions like her in the country, that sit amidst their friends at lunch who have a decent meal, and they don't. It's a disgrace."

That hungry kid with three cookies at school represents America. The US has six percent of the world's population and about half the world's resources but an income distribution, as noted in the Esterlys' *Freedom From Dependence* (Public Affairs Press, Washington, $6), that awards 77 percent of total income to the top half of the population, and only 23 percent to the lower half.

The fact is, America is stingy. As Swedish economist Gunnar Myrdal notes: "America of all rich countries (is) the one which has the highest rate of unemployment, the worst and biggest slums, and which is least generous in giving economic security to its old people, its children, its sick people and its invalids."

President Nixon, to his great credit, has introduced family assistance welfare legislation and Rep. Wilbur Mills has picked up the ball. There's a lot that's wrong with the Nixon proposal and the Senate may kill it as it did last year; but it does accept one revolutionary concept, the right of the disadvantaged poor to basic income maintenance. Pretty communistic, eh? Here's how one man put it: "Every man has the right to life and to the means which are necessary for the proper development of life; these are primarily food, clothing, shelter, rest, medical care and finally the necessary social services." I may not have rendered this smoothly, it's a translation from the Latin, *Pacem in Terris*, by Pope John XXIII.

Senate majority leader Mike Mansfield is a kindly, courteous man. Time and again he has argued the urgency of problems at home and declared that, 26 years after the war ended, the US does not need half a million persons in Europe, including dependents, with 7000 tactical nuclear weapons, or even 128 generals. Nobody paid much attention. Then, suddenly, the mouse roared. Mansfield gave the White House a terrible scare. He crisply demanded that we pull out half our troops in Europe, at once, now. He caused a tremendous commotion and he left no doubt of the shifting American interest from problems abroad to those at home.

This is not isolationism. It is merely that what happens in NATO and what happens in Brownsville are connected. The United States cannot be the staunch defender of the free world if its foundations crumble at home. Europeans might as well know that the pendulum is swinging, and that the long-suffering Congress, in sour revulsion after six years of executive deception and arrogance over Vietnam, is in the mood to assert itself. Mr. Nixon would be wise to adjust policies lest the pendulum swing too far.

The mood in US cities is "more frighteningly explosive" now than in the violent summers of 1967 and 1968 warn Urban Coalition chairman Linowitz and Sen. Fred Harris, co-chairman of the Kerner Commission. Brownsville was a sign – a "peaceful" protest over welfare retrenchments – and suddenly fires were crackling and mobs rioting: 84 fires, 25 looted stores, 33 injuries. Over in Philadelphia the dominant political machine nominated Frank Rizzo, a self-styled "tough cop," for mayor, pledged to "law and order." There's no use being too ominous about all this, of course, but maybe soon we must choose between reform and repression.

The Kerner Report in 1968 warned that urban society is dividing into a black, central-city subculture and the white, affluent suburbs. Like most presidential commissions the report would be forgotten by now save that the permanent US Commission on Civil Rights, under tough-speaking Father Hesburgh, president of Notre Dame, keeps its message alive. There's a new Hesburgh report: things are no better than 1968, it says; maybe worse. They search an airplane after a bomb threat. But for the nation as a whole we are pretty much used to the warning, "There may be a bomb on board."

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Revenue Sharing That Works

The Administration has been given too little credit for the political shrewdness of its revenue-sharing plan. It casts the President in the role of rescuer of the states and cities from a dire fate, a modern-day Disraeli effecting fundamental reform and restoring the federal as well as fiscal balance. It allows him to use the phrase "power to the people" with only the faintest blush – and all with minimum budgetary impact, at best $6 billion in "new" money. Most important, it has great potential for the onrushing presidential campaign. Mr. Nixon has come to realize that the cities, and more recently the large industrial states, are starving. He knows that those who starve do not too closely examine the nutritional content of a crust of bread. He knows also that the Congress is not eager to cede its control over the spending of any federal dollar. Revenue sharing, then, offers the chance to divide the congressional Democrats (including virtually all of the serious 1972 contenders) from their needful brethren in the statehouses and city halls – and to conquer.

In March, this potential seemed to have been realized at the expense of one Democratic challenger. The occasion was a legislative conference of the National League of Cities and US Conference of Mayors. The 800 mayors had arrived in Washington with a well-formulated position. They favored general revenue sharing, with its promise of an initial $5 billion in stringless aid. This was not surprising, since their two organizations had been "closely consulted" in formulation of the plan; they considered the automatic pass-through of nearly half the amount to localities (with mayors and county officials free to negotiate an even larger cut from their governors) a signal victory. On the other hand, the mayors were suspicious of the President's so-called special revenue-sharing proposals, since they would terminate some urban grant programs and consolidate others in six broad categories, with a net gain to the impoverished cities of only a single billion at most.

The March session was more rally than conference. Walter Heller, a certified Democratic economist and pre-Nixonian parent of revenue sharing, delivered a stump speech, branding anyone opposed to the idea as a foe of federalism and doubter of provincial wisdom. Vice President Agnew attacked those who would play politics with so sacred a subject, singling out Wilbur Mills' proposal for federal

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assumption of welfare costs as a "red herring." Both drew hearty applause. Senator Edmund Muskie, in a luncheon speech, drew something else.

He began by saying, soberly, "I know many of you support the concept of revenue sharing, and so do I." He pointed out that he had introduced a revenue-sharing bill last year. But he went on to say that he did not support a plan which would "gut essential categorical aid programs," which "fails to allocate funds for the cities which need them most," and which "provides inadequate safeguards against the use of funds to perpetuate discrimination." Therefore, he did not support the Administration plan, which, he noted, would provide rich Beverly Hills with twice as much money per capita as broken-down New York and four times as much as Cleveland. He expressed "serious doubts" that a "meaningful program of revenue sharing" could get through the present Congress and counseled support of a federal welfare takeover. The mayors' reaction was swift and critical. The welfare takeover would benefit only a handful of cities; they all need help, immediately; they don't expect their friends to quibble over its precise form.

Senator Muskie's initial response was to smooth things over at a private meeting with Philadelphia's James Tate, president of the Conference of Mayors. His more substantive response came May 5 when he reintroduced his own revenue-sharing bill with modifications. The bill got less attention than it deserves. For together with other Muskie initiatives in Congress it constitutes not just a solid Democratic alternative to the Administration proposals but the beginnings of an adequate federal program.

The Muskie bill retains the guarantee of automatic aid to states and cities, which is the essence of revenue-sharing's appeal to those who are tired of pleading with one grudging Congress after another. While Nixon would give cities and states 1.3 percent of federal income-tax revenues, Muskie adds to this federal dollars in the amount of 10 percent of aggregate state income-tax collections. This puts another billion into the pot the first year, as well as tying future amounts to how heavily states tax themselves. But Muskie's plan goes on to weight the amount localities would receive on a scale that takes into account both the incidence of poverty and the level of public assistance payments. And it adds a nondiscrimination string in the form of a mechanism for individual or class-action suits against offending jurisdictions.

Muskie's bill is offered as a supplement to categorical aid programs, not a substitute for them. His introductory remarks delineated the functions such programs should serve: "Revenue sharing is needed because the distribution of income and wealth varies so widely throughout the country. There are vast differences in the tax-paying abilities of the various communities across the nation." "At the same time," he went on, "we must continue and expand federal categorical assistance. These programs are directed at critical problems, national in scope, which must be attacked by the federal government because the states and localities alone cannot deal with them or have not dealt with them effectively in the past."

Sen. Muskie still supports a federal welfare takeover, again recognizing that poverty like so many other problems called "urban" is national in scale. It is this fact which makes stringless revenue sharing not just inadequate as *the* major urban assistance device, but dangerous. For it perpetuates the cities' responsibility for paying a disproportionate share of society's bills, and it makes the remedying of our most critical domestic ills a matter of state and local option, while reducing incentives for remedial action.

The mayors are beset by a battery of conflicting claims upon their attention and resources. The political clout of the urban poor and minorities is rarely powerful enough to compete with that of rival claimants. There are far larger constituencies behind better street paving and larger police forces than behind welfare reform or compensatory education. This competition is getting increasingly bitter. The white working class, especially in the industrial cities of the Northeast, is flexing its muscles and voicing genuine grievances. Its increasingly militant resistance to "singling out" others for attention, combined with the decline in the patience and "reasonableness" of long-deprived minorities is a new fuse on the urban time bomb.

The President would simply throw money into this pit and let the contending groups scramble for it. The effect would be to remove the protective shelter of federal restrictions from those mayors – and there are many – who understand that the plight of the poor and of minorities is the most urgent they confront. With this shelter, of course, come webs of federal administrative strings, which is another reason for the mayors' fondness for general revenue sharing.

The Democratic mayors and governors (and John Lindsay, too) can continue beating what Wilbur Mills has certified to be a dead horse. Or they can try to rally the Democrats behind a comprehensive program of fiscal reform, including: (1) revenue sharing weighted according to both tax effort and need; (2) expansion and consolidation of existing grants-in-aid; and (3) federal assumption of responsibility for welfare and other poverty-related services. The Muskie initiatives offer the structural skelton for such a program. They will not in themselves, as he acknowledges, "reverse the order of our national priorities." Nor would they use the full leverage of federal revenues to effect state and local reform. But they would, as modestly claimed, provide "a logical and workable beginning toward correcting the fiscal imbalance in our system."

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Starving New Communities

A remarkable piece of legislation came out of the 91st Congress with little notice then or now. It was Title VII of the 1970 Housing Act and one possible reason for its quiet reception is that it was titled "new communities"; lately it has become an article of academic-liberal faith that new communities are irrelevant to urban problems. There is some justification for this view in the American experience of new-community building; it has been mainly an entrepreneurial service to the middle-to-upper-class market.

Only two examples can claim the name "communities," both of them in the Washington, DC area. One is Columbia, Md., whose claim rests not on its dull suburban architecture but on its sensitively planned community facilities and institutions, its sizable employment base (thanks to a large new General Electric plant) and its racial and economic diversity (the latter thanks to 300 units of church-sponsored lower-income housing, with more planned). The second example is Reston, Va., racially integrated and one of the most photogenic man-made environments in America. Reston, however, largely remains a stage set for the upper Bohemian play of life, lacking other attributes of community. Beyond Reston and Columbia, so-called new communities are almost entirely oversized and glorified real estate developments.

But the skepticism new communities engender in the urban-oriented should not be extended to Title VII. It guarantees borrowings of up to $500 million ($50 million per project) by both private and public new-community developers; it provides $240 million for direct federal loans; and it authorizes $178 million through fiscal 1973 in grants. This money is available not only to Reston-Columbia-type communities in the countryside, but to large-scale developments within metropolitan areas and even the cities themselves. This is why Title VII generated the support rather than the ire of the nation's mayors. And while early applications for Title VII aid are being kept under wraps for fear of inflating land costs, they are known to include several applications for "new-towns-in-town" designed primarily for lower-income city residents.

"Substantial provision for housing within the means of persons of low and moderate income" is a condition of Title VII aid. Among other conditions are that the assisted new community shall "preserve or enhance desirable aspects of the natural and urban environment," shall be "characterized by well-balanced and diversified land-use patterns," shall include "adequate public and community facilities including those needed for education, health, and social services," and shall "make significant use of advances in design and technology." Few new communities, or new developments of any kind, come anywhere near meeting these specifications. But there they are for Title VII's administrators to apply.

HUD Secretary Romney said flatly on April 14 that "this Administration is committed to new communities as an important step toward formation of a national growth policy" – a welcome statement since the Administration had done everything it could to defeat Title VII. The Administration has not, however, put its money where the Secretary's mouth is. On April 10, Rep. Thomas Ashley of Toledo, the father of Title VII, wrote to Rep. Edward P. Boland, chairman of the HUD appropriations subcommittee in the House, pointing out that HUD has asked for only $5 million of the $178 million grant money which the Congress has authorized in Title VII, and none at all for planning or public-services grants, though planning is at the core of any new-communities concept, and though public services are as essential as reasonably priced housing if new communities are to serve the less-than-affluent.

Ashley, who has become both expert and evangelical about new communities and urban growth policy, acknowledges that new communities can accommodate only a fraction of the population growth anticipated in coming decades. Nevertheless, they could open a second front in the fight against economic and racial segregation of urban areas; especially now that there has been a setback on the legal front in the form of the Supreme Court decision upholding use of the referendum as a device to keep low-income housing out of existing communities.

Title VII's tools are neither perfect nor sufficient, but they offer something to build with. The law deserves a chance, which it isn't getting. Why isn't it, Mr. Romney?

FBI Inspection

The FBI is charged with the most important police functions in our Republic. Its duty is to investigate not only serious federal crimes but also domestic and foreign political threats which rise to the level of treason, sabotage or "subversion." It is the nearest thing America has to a secret police. During the past 50 years Presidents and Congresses of both parties have given the FBI and its director ever-wider responsibilities, powers and discretion. Yet no matter where their sympathies lie, few will deny that the Bureau is undergoing the most serious and sustained attack in its history.

The proudly displayed conservative attitudes of Mr. Hoover and his ill-concealed disdain for the left have produced a very real fear that the director does not carefully distinguish between his own political preference and his professional work. Practically every

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politician in Washington more liberal than a right-wing Republican feels that the FBI has him under constant surveillance, and that the director has a dossier filled with all his peccadilloes. If a "law and order" champion like Rep. John Dowdy, who was instrumental in passing the DC Crime Bill, is not immune from surveillance, who is? Whatever the judgment on Hale Boggs' wiretapping charges, it is significant that an astute, political animal, who is also House Democratic Majority Leader, could launch a broadscale attack on the Bureau. The Bureau's competitor agencies, such as the CIA, the IRS, the Secret Service, military intelligence, and state and local police forces have also had much reason over the past 25 years to develop a healthy respect for and jealousy of the power, effectiveness, and political strength of the Bureau. There are hints and rumors that even Mr. Hoover's superiors in the Justice Department are looking for a graceful way to ease him into retirement. Against this background, it was only natural that the recent outrage over the revelations of Army political spying should have so quickly shifted and broadened to focus on the FBI and its activities. Without at all minimizing the seriousness of the Army's spying, it was short-lived, amateurish, small potatoes compared to what the FBI has been doing for decades.

It must have been some perverse fate that decreed that the director should be confronted in so short a time with so large a collection of controversies – the public indictment of the Berrigans before any legal action had been taken against them; the forced withdrawal of agents from a class conducted by a professor who had been critical of the director; the firing of agent Shaw for being so indiscreet as to be less than sycophantic in his defense of the director; the embarrassing theft of FBI documents and the excruciating glimpse they gave into Bureau inefficiency and inanity; the firing of three clerks for off-duty envelope-stuffing; the bugging (legally) of a congressman; the surveillance of Earth-Day, the most nonpolitical political demonstration in memory; and the TWA pilot's troubles. The list becomes larger every day. Mr. Hoover has faced similar incidents before. What is new is the political climate, the concurrence of the controversies, and of course, Hoover's age.

At 76, his attitudes have hardened, his enemies have become legion and emboldened, and his friends have become embarrassed. The revealing meeting among "top White House aides" a few weeks ago is evidence of the political mortality of a man who only recently was universally acknowledged to be invulnerable. It is revealing, in the first place, because it was held at all; second, because it took 25 minutes to conclude the director's retirement couldn't be forced; third, because a top presidential aide deliberately leaked the details of the meeting to the press; and finally, because the reason for not retiring the director right then was that he couldn't be removed under fire. Naming a successor has become a popular lunchtime game all over Washington.

While friends of the Bureau fulminate and enemies rejoice, the fact remains that this is a serious situation for the FBI and for the country. Who succeeds Hoover is not the only or the central question. No agency, and certainly not one charged with so much power in an area so fraught with political and constitutional dangers, should be permitted to go 50 years without a public accounting. Not only must we guard against political abuse, illegality, and infringements of our political liberties, but we must also protect against bureaucratic arthritis.

An investigation is a necessity. And it should be by Congress. No presidential body of "distinguished Americans" would have the power, the trust, or gain the public attention that is necessary for this undertaking. But no existing committee or subcommittee of Congress meets the prerequisites that are called for. Senator Sam Ervin's Constitutional Rights subcommittee has done fine service in publicizing the prevalence and danger of political surveillance. But it has Bureau friends on it like Senators Thurmond, Hruska, Byrd and McClellan, and it has Bureau enemies like Senators Bayh, Kennedy and Tunney. An inquiry into the Bureau by Ervin's subcommittee would probably end in a shambles. And then there is always Mr. Hoover's friend, James Eastland, who is not only chairman of the full Judiciary Committee of which Ervin's group is a subcommittee, but also chairman of the Internal Security subcommittee as well. Clearly, the Ervin subcommittee will not do.

What will do is a Select Senate Committee, chaired by Sam Ervin. Ervin has just the right qualities for the task. He is a conservative, he personally likes the Bureau and the director, he appreciates the necessity for a strong, efficient FBI, and he opposes using the director and the agency as a political football. He is also a true constitutionalist, perhaps one of the last in the Congress. He has a love of the Bill of Rights and he defends it even on behalf of those who "do not agree with his own sound views on all subjects." There is no question that Ervin, a former judge, should chair the select committee. The rest of the members should be selected from senators who are as much

COMING: What we need is land reform (yes, in America) - a three-part series by Peter Barnes

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above question in terms of integrity, conscience and judgment as possible. The committee must be evenly balanced by party and by political philosophy.

The following suggestions of senators who might qualify are offered as an illustration of what is necessary: George Aiken, Edward Brooke, Marlow Cook, John Sherman Cooper, Peter Dominick, Jacob Javits, James Pearson and Margaret Chase Smith for the Republicans; Frank Church, Thomas Eagleton, Philip Hart, Ernest Hollings, Abraham Ribicoff and John Sparkman for the Democrats.

The select committee's task should be to assess the Bureau's work, its authority, and its operations. No whitewash, no scalping party operation either. One must do Mr. Hoover justice. He took a scandal-ridden, weak agency and made it an effective tool of law enforcement. After five decades, he should not be permitted to destroy his contribution and reputation in the few months that remain to him. The select committee should evaluate for the first time the Bureau's mandate against the norms of the Bill of Rights. If fault is to be found, it should be sought not only in the Bureau and its director, but ultimately in the attorneys general, Presidents and Congresses who have given power and responsibility to the agency, but have failed to give it direction, guidance and control.

NATO Troops

Senator Mansfield lost the vote last week on his call for cutting US troop strength in Europe in half, but he had a lot going for him. Far from being weak and dependent, as it was in 1949 when the Senate by an 82-13 vote approved the NATO Pact, Western Europe is strong and increasingly independent. The US, on the other hand, suffers a chronic imbalance of payments, due in large measure to billions spent for defense beyond its borders, and its government complains it is too poor to meet its own heavy domestic obligations. In defense of the Mansfield view, it could also be said that if our 300,000 troops are a "tripwire" to deter a Soviet conventional attack, 150,000 soldiers would serve the same purpose; moreover, given a full-scale assault from the East, even 300,000 US troops or all the conventional forces now under the NATO command could do little more than provide a "pause" – 10 or 30 or 60 days – during which efforts would be made to negotiate an armistice before the ultimate, nuclear catastrophe breaks over all our heads. So Mansfield had a plausible cause; yet the Senate was right to reject his resolution. Why?

Because, first of all, our kinship with Europe is rooted in long historical experience as well as the realities of power. An Atlantic defense, though not necessarily NATO in precisely its present form, is fundamental to the common defense and ought not be at the whim of any one member government's arbitrary act. The US cannot "do a de Gaulle" and expect the partnership to prosper.

Maintaining the alliance while at the same time moving to bridge the chasm that divides Europe, are complementary and not contradictory policies. It is because Western Europe has become stronger and more unified, because the alliance has worked for 22 years to keep the peace, that we can now anticipate the possibility of lowered tensions and troop levels and armaments, and a coexistence that permits ever-wider East-West trade and travel. If a cutback in US NATO troops is to be made without jarring the foundations of the common defense, it first is to be negotiated within NATO, and then with Moscow.

The timing of Mansfield's proposal was unfortunate, coinciding as it did with overtures by Bonn to the Soviet Union and Eastern Europe on normalizing relations – overtures which have taken for granted the existing balance of forces. The Russians have always been nervous at any hint of a resurgent German militarism; few things would be more unsettling than a situation in which the West Germans felt compelled, or were persuaded, to compensate for unplanned US withdrawals by substantially increasing their own military strength, thereby setting off new alarm bells in Moscow.

A mutual thinning out of forces in Central Europe is overdue. That is what Senator Mansfield sees. In part because of his resolution, the Administration has welcomed the Soviet suggestion that talks to that end begin. The Senate cannot negotiate the reductions, but it need not be silent either, and it should insist on being informed and consulted at each step of the way.

SALT Seasoning

Nobody knows whether Mr. Nixon's brief, Aesopian announcement last week on "breaking the deadlock" in the 18-month-old SALT talks was worth the ringing fanfare he gave it. (The President in person on all networks, seven different White House briefings, all the trappings of an historic event.) We don't know, because we aren't sure what it means, and perhaps aren't meant to know. It seems to mean that the Americans and the Russians are now sure progress can be made somewhere and have agreed to agree sometime about something in the area of arms limitations, which may not be news but is a hope worth embracing. It may also mean that when the arms talks resume in Helsinki in June or July, the first item on the agenda will be defensive antiballistic missile systems. But is that all? And is this a departure

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from past Administration objections to an "ABM-only" agreement? In his report to the Congress on February 25, the President, noting a difference of opinion with the Russians "over whether a separate agreement limiting ABMs alone would be in our mutual interest," concluded that "to be stable and satisfactory, an agreement should include limitations on both offensive and defensive systems." In a press conference on March 5, Mr. Nixon again rejected the idea put forward by many serious students of arms control that "we might negotiate a separate agreement on defensive weapons alone"; an agreement "must include offensive as well as defensive weapons, some mix."

The new statement pledges the two nations "to concentrate this year on working out an agreement for the limitation of the deployment of antiballistic missiles (ABMs)." That's plain; ABMs first. But ABMs only? Probably not, for there follows a perplexing second sentence: "They [the US and the USSR] have also agreed that, together with concluding an agreement to limit ABMs, they will agree on certain measures with resepect to the limitation of offensive strategic weapons." This can be read to mean that no agreement on ABMs will be binding, *if* it is not accompanied by some agreement, however minor, on offensive weapons. That is the way we do read it.

But however it is read, an underlying reality is that America's security would not be impaired by our putting a lid on ABM construction, now, or even eliminating the $50 billion program (Senator Mike Mansfield's estimate of the final cost), regardless of whether agreement is reached on other weapons systems. Fortunately, neither we nor the Russians have gone so far down the ABM road that we could not easily turn back. Only two ABM sites are under construction in this country – in North Dakota and Montana; work has just started on a third site in Missouri; and a fourth site, either at the Warren Air Force Base or near Washington, DC, is not much beyond the stage of contemplation. If Mr. Nixon's announcement is a prelude to their abandonment – and on the Soviet side, too – he did say something worth a fanfare on May 20.

Double Standard

It is illegal for federal contractors to discriminate in employment on the basis of sex. Accordingly, the Department of Health, Education and Welfare has in recent months undertaken to block new government contracts to several universities, including the University of Michigan, which had not hired enough women for responsible, well-paying positions. Government-sponsored public service television ads make the point that in private employment a man and a woman doing the same work (in the TV spot they're car mechanics) must be paid the same salaries. The US Civil Service Commission ruled on May 12 that federal agencies may not have "men only" or "women only" jobs. Except in positions that require employes to sleep together in the same quarters and employment such as matron in a women's prison, men *and* women must be considered for all federal jobs. So there may now be female park policemen and security guards. Already there are a token number of female sky marshals.

But though government is moving toward the elimination of sex discrimination in public and private employment, it has a long way to go.

In 1969, the Civil Service Commission examined the number and percentages of women employed at each level of federal service. Government Service (GS) ratings provide an indication of status and income. GS 1–6 include primarily clerical, aid and support positions, as well as some beginning "semi-professional" jobs which require a bachelors degree or three years of "progressively responsible" work experience. The average income of GS level 1-6 employes is (at 1971 rates) $5,936. Grades 7–12 are mid-level positions, requiring a year or more of graduate school or many years of work experience. The average salary for these jobs is $11,350. Senior level grades (13–15) pay on the average $21,742. Government Service levels 16, 17 and 18, the so-called "super-grades," include political appointees as well as some career Civil Service employes.

It was found that in GS levels 1–6, nearly half of the employes were women; in GS 7-12, only 20 percent were women. In the senior grades 13–15, about four percent were women; at GS 16 and above, women represented 1.7 percent of employes. Of all women holding federal jobs 78.1 percent worked in GS 1-6 jobs; 20.8 percent in GS 7-12; one percent worked in GS 13-15 jobs; in GS 16 and above, .03 percent.

The Commission broke down these statistics by agency. The National Mediation Board, for example, had no women at grade levels higher than 12, but 77 percent of its GS 1-6 employes were women. The Federal Home Loan Bank Board employed no women in the top grades; 91 percent of the agency's GS 1–6 level employes, however, were women. At the Smithsonian Institution, which includes the National Gallery of Art, 33 percent of the employes in grades 1-6 were women; no women were to be found in the highest GS grouping. At HEW, the agency that enforces antidiscrimination laws, some 86.9 percent of employes in GS 1-6 were women. In GS levels 7-12 the percentage slipped to 43.8 and in GS 13–15 to 15.2 percent. In the supergrades at HEW only 4.2 percent of employes were females.

Such statistics describe federal employment patterns but they do not explain them. They do not differentiate for instance between the refusal to employ

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qualified female applicants *because* they are women, and the tendency of women for one reason or another to seek certain kinds of work. Nor do the statistics reveal how many Wellesley graduates with degrees in anthropology settle for typist jobs because that is all male employers offer them. They do suggest, however, that HEW's standards for itself and for the University of Michigan are not the same. In the highest civil service grades at HEW only a little over four percent of employes are female. Would HEW grant federal funds to a university that had so little room at the top for women?

The Lockheed Dole

Something funny happened to President Nixon on his way to bailing out Lockheed: some of his erstwhile friends in business circles were horrified at the implications raised by the President's request to Congress for a $250 million loan guarantee to save the ailing aerospace giant from bankruptcy. Might not a government handout today mean government interference tomorrow? The opposition surfaced at a meeting of the prestigious Business Council, a group that has expressed increasing concern over mounting hostility toward high-handed business practices. Opposition to the Lockheed bailout was said to be almost universal among the Council delegates. Some companies with big political clout – such as Boeing and General Electric – went so far as to drum up lobbying support to defeat the loan package in Congress, which has before it the President's bill, introduced last week by Senator Sparkman; hearings are pending.

The most surprising outburst came from GE, which produces jet engines for Lockheed's C-5A – the trouble-plagued military transport. GE sees the bailout scheme as subversive of the free enterprise system. In a memo circulated among Business Council delegates, the company said it "questions seriously the propriety of the US Government subsidizing one company engaged in commercial competition with other companies not similarly supported. Specifically, it feels that any such specific departure from our competitive enterprise system may by precedent lead to similar departures in other segments of our economy."

GE indicated later, however, that it would be willing to bend this statement of high principle enough to support the bailout if Lockheed would use US-made engines for the L-1011 commercial airbus – presumably engines made by GE.

Another fusillade against the bailout was fired by Aerojet-General Corp., also a big aerospace contractor. Said Aerojet's president Jack H. Vollbrecht: "It is wrong to protect an environment in which a company makes a bad bid and is not forced to live with the consequences of it." Predictably, the plan was blasted by the McDonnell Douglas Co., producer of the DC-10 airbus, Lockheed's chief competitor in the jumbo-jet transport market.

Perhaps equally damaging to Nixon's cause was a broadside from Vice Adm. Hyman Rickover, the gadfly who runs the Navy's nuclear reactor program. In testimony before the Congressional Joint Economic Committee Rickover cautioned against the precedent of providing awards for poor business management. The admiral said: "We in this country pride ourselves on the superiority of our free enterprise capitalistic system and we proclaim hatred of the Soviet communistic system. . . . However, when men in Communist Russia fail in government or in industry, they are summarily dismissed. We, on the other hand, protect those who fail and grasp them to the government's bosom. We let them privatize profits and socialize losses." Rickover minimized the effect a Lockheed bankruptcy would have on the economy and on defense capability. "What happens when the president of any large corporation or the officials go?", Rickover asked rhetorically. "The work goes on. It is generally the financial people that change."

Mayor Daley's Flip-Flop

In his campaign for a fifth term as mayor of Chicago, Richard J. Daley ensured a strong, pro-Daley backlash in the city's racially sensitive white wards. He first allowed his housing authority to make public a series of proposed housing sites in white neighborhoods and then denounced the plans a month before the April 6 elections. (See "Daley News" by Thomas M. Gray, *NR*, April 3). The mayor has since been returned to office with 70 percent of the vote and a 400,000 vote plurality. He had judged Chicagoans astutely, as usual. He carried the working-class white wards, where public housing was the only strong issue, even as Republicans took the two city council seats at stake in the same wards.

But with the election won, Daley reversed himself on the housing issue, announcing on May 12 from the familiar podium outside his office that he and the federal officials standing at his side had just signed an agreement under which Chicago promises to build at least 1700 units of public housing in return for the restoration of $55 million in frozen Model Cities and urban renewal funds. He replied to reporters' questions that, of course, the housing would be spread throughout white wards in compliance with a 1969 federal district court order aimed at correcting the historic racial segregation in Chicago's housing. In the

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two years since the decision in *Gautreaux* v. *Chicago Housing Authority* no public housing has been built, but urban renewal demolition went right ahead, until last November HUD, finally showing some sensitivity to relocation provisions of housing law, cut off Daley's funds.

The flip-flop was characteristic of the mayor, reminiscent of his post-election change of heart in 1963 when he came to favor, and had his city council pass, a weak fair-housing ordinance toward which he had been cool during his campaign. This year strong pressure was put on Daley's planners to produce some agreement that would result in restoring HUD funds. $55-million is a lot of money for a city that provides few health or social services that are not federally financed. The Model Cities program, in its incipient stages, has added about 4000 patronage workers to city payrolls. The recent agreement provides for a gradual restoration of funding and requires the city to provide more than 4300 units of low-income housing through a variety of leasing and rent supplement programs and 1700 units of public housing. The public housing is subject to the court order, but the agreement contains no language guaranteeing that the remaining 4300 units will not be in the ghetto as in the past.

Daley's manipulation of the voters wasn't even crucial to his reelection. A more temperate reaction to scattered-site public housing couldn't have cost him his 400,000 vote margin. The total vote cast in the city's 14 most hard-core "backlash" wards was about 345,000 and Daley could scarcely have done worse than split it evenly.

A UN Plebiscite?

Let Taiwan Decide

The so-called dilemma of "two Chinas" or "dual representation" in the United Nations arises from the misidentification of Taiwan as "China." China is not at issue. It is quite clear who governs the 800 million Chinese on the mainland. The issue is Taiwan, whose international legal status is yet to be settled.

The 1951 Japanese Peace Treaty affirmed the colonial status of Taiwan and kept its legal status undetermined, pending an international settlement. Japan renounced all her "rights, title and claim" to Taiwan, but the Treaty did not specify any beneficiary. The sovereignty of Taiwan has not been transferred to China, Nationalist or Communist.

Contrary to the claims of Chiang and Mao and their supporters, Taiwan does *not* belong to China. For centuries the Formosan people have been living in an environment different from that of the Chinese people and undergoing experiences distinctly Formosan. They have forged a distinct sense of identity and perspective. The Taiwanese people do not identify with the People's Republic of China, a foreign country with which they have never had contact. Nor do the Taiwanese people identify with the Chiang Kai-shek regime. Betraying the trust of the Allied Powers, the exiled Chiang regime has usurped the sovereign power of the people of Taiwan and illegally occupied the island. At present, the 12 million Taiwanese, 85 percent of the island's population, are allowed only a three percent token representation in congressional bodies on Taiwan. Under the reign of terror and coercion of the Chiang regime as perpetuated by the secret police, and the continuous imposition of martial law for more than 20 years, Formosa has become a non-self-governing territory.

If there should be a settlement by negotiation, as suggested, the true representatives of the people of Taiwan, not the Chiang regime, must be included.

The crux of the question of Chinese participation in the UN is whether or not Taiwan is or should be part of China. A peaceful and clear-cut solution that would serve the interests of all parties concerned would be to hold a plebiscite on Taiwan under UN auspices. Let the future of Taiwan be decided by the 14 million people on Taiwan, not by the 800 million people on China. And let all parties concerned abide by the outcome of such a plebiscite. As in the case of some 60 former colonial territories that have achieved independence since World War II, the principle of self-determination should be applied to Taiwan.

Politically, such a plebiscite would be practical, because it would subject the assertions and assumptions of all claimants to verification. Imposing any solution on Taiwan against the wishes of its inhabitants is no solution at all; it would be a constant source of instability and disorder. There is not the slightest doubt in my mind what the outcome would be if a UN plebiscite were held on Taiwan today. Given a free and honest election, the overwhelming majority of the people of Taiwan would choose to establish an independent State of Taiwan, free of foreign domination, Chinese or otherwise. This independent State of Taiwan should be admitted as a member of the United Nations. Thus both China and Taiwan would be seated in the United Nations, not as two Chinas, but as China and Taiwan.

On the other hand, should such a plebiscite result in integration of Taiwan with China, there would be no China problem either.

Lung-chu Chen

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Gov. Thomas Meskill

Reaganism In Connecticut

Hartford

Borrowing from an old Ronald Reagan script, Connecticut Governor Thomas Meskill has begun his first term by calling for tuition at the University of Connecticut, closing down the University's legal clinic, an end to most state-supported research and a 60 percent slash in antipoverty programs. On the other hand, he wants more money for drug enforcement, including more undercover agents, and tripled expenditures for industrial development. Connecticut faces an operating deficit similar to Rhode Island's and Pennsylvania's, both of which met their financial crises by passing an income tax. Not Governor Meskill, although salaries of high-paid executives in Fairfield and Hartford counties are an unworked goldmine. He wants a seven percent sales tax, extended to cover almost everything except groceries and shelter.

In the past, close two-party competition and the savvy of slatemakers (who keep a tight grip on the nominating process) had given Connecticut a long line of consensus governors and legislatures. There had been a steady, if sluggish, stream of reform legislation – a stream that quickened only imperceptibly when reapportionment finally reduced Yankee Republicans to a minority in both houses of the General Assembly after 1966. But in 1970 the system didn't work as advertised. Democrats gave their nomination to Emilio Q. Daddario, a colorless six-term congressman who ran so inept a campaign that few voters ever knew that Meskill, during two terms in Congress, had chalked up the most conservative voting record of any Connecticut congressman in decades. The contest turned largely on televised images and dentures, and Meskill, a boyishly-handsome, quick-witted New Britain attorney, humiliated his opponent.

With the election results as proof of his personal popularity, Meskill immediately staked out a position on the right. He called the University's legal clinic "nothing more than an agency for subsidizing attacks on our institutions and our government." More recently he has said that the price of its continuance is a moratorium on involvement in controversial cases, such as the clinic's successful court challenge last spring of a Hartford ordinance banning antiwar demonstrators from the city's parks, or the clinic's challenge of the state's Red Flag law used to arrest demonstrtors displaying the Vietcong colors during a Nixon campaign visit last year.

Urban officials have informed Meskill that his budget recommendations would mean closing down 60 percent of the state's day care and teen centers and cuts of equal magnitude in state-funded legal services programs, thriving neighborhood housing corporations and housing code enforcement projects. The governor's quarry in this case is the state's ambitious human resource programs, which the legislature, taking its cue from the federal war on poverty, launched in 1967. Far more extensive in variety and funding than the OEO ever was, the programs are widely credited with keeping Connecticut cities relatively cool. Antipoverty officials are trying frantically to convince the governor that he's asking for trouble in the inner cities this summer. So far, they've gotten him to tout several rehabilitated areas. Meanwhile, Meskill has declared a freeze on unspent antipoverty funds appropriated by previous legislatures.

Law and order, unexpectedly relegated to a back seat during the campaign, has risen to the top of Meskill's priorities. Before the election, he had outlined his anticrime platform in a speech marked by cautious respect for civil liberties. While endorsing wiretap legislation, Meskill had stressed that he was advocating nothing beyond what had been recommended by a blue-ribbon crime commission. He never mentioned bugging devices. Yet when the House rejected amendments that would have broadened the commission-drafted bill, Meskill had this to say: "As far as I am concerned, yesterday was a red letter day, a banner day, a day of celebration for organized crime. [The bill] cannot be used to bug a room or anything else."

James Quinn

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Going Overboard

What Can You Do In a Canoe?

"They may put a 16-inch gun on a canoe and attack somebody." Sears Roebuck official

Turn now to page 84 of the Sears Roebuck catalog for today's lesson in how to protect US interests from the Communist threat. There you will find a color illustration showing three little boats – a yellow canvas inflatable raft that comes in three sizes accommodating respectively three, four or five adults; a green modified "semi-vee hull" gamefisher that's 12 feet

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long and rated for three persons; and a pointed-stern aluminum canoe available in 15- and 17-foot models. The larger of the canoes has a maximum load capacity of 812 pounds. According to the catalog all these boats have been reduced in price and are a bargain, if you are an American.

If you don't happen to be a citizen the deal may be off. In the lower right-hand corner of said page 84 is printed an "IMPORTANT NOTE" which reads: "If you order a canoe or a gamefisher and are not a citizen of the United States, please state your country of origin." Catalog browsers may wonder what business it is of Sears where their customers were born and what possible bearing citizenship could have on buying a canoe.

Getting the answers to these questions is not quite so simple as a long distance call to Sears' general offices in Chicago. I first phoned Ernest Arms, an information officer with the company. He didn't know anything about it but would "make every effort" to find out something. Later, Dan Fapp of Sears called back with the following information: "This is not the *legal* wording but it is the essence of it. Apparently there's a US Maritime Commission regulation that says boats – it does not specify what size – may not be sold to citizens of certain countries who do not have a special license. Most of the countries are those that you'd consider Iron Curtain countries – Cuba, Lithuania, Russia and so forth. I understand that it's fairly easy to get one of these special licenses but there are penalties if you sell a boat to a person without one."

Was the law passed to prevent anti-Castro Cubans from going off from Miami in small boats to spark revolutions in Havana? "The law covers a multitude of countries," said Mr. Fapp. "I don't really know the historical background." Nor could he cite the specific law involved. "Since it is a US Maritime Commission regulation, they would know," he said.

The Federal Maritime Commission (the successor to the US Maritime Commission which was abolished about 20 years ago) offered additional information. A lady in public information said when asked about the law, "I've never heard of such a thing. This agency wouldn't have anything to do with the sale of a canoe. We are a regulatory agency but what we deal with are the big, ocean-going vessels in foreign trade or in domestic off-shore trade." Incredulous, she turned me over to an attorney on the staff. "A law [that you can't sell boats to certain foreign nationals who don't have the US government's permission] may apply perhaps to larger vessels, certainly not canoes, but in any event the agency involved there would be the US Maritime *Administration*, not the Federal Maritime *Commission*." The Maritime *Commission*, the lawyer explained, regulates the foreign commerce industry. The Maritime Administration promotes the merchant marine and also is involved in subsidizing certain steamship companies. "I think in this instance what you are talking about may be one of the regulations of the Maritime Administration. It's located in the Commerce Department."

The man I was referred to at the Maritime Administration said he thought it "absurd" that anyone would be concerned about selling canoes to aliens. "Our agency is certainly not concerned with small craft. But there is a provision governing the sale of large vessels by American flag operators who want to dispose of their older ships. We have restrictions on the transfer of ships to Iron Curtain or Red Bloc countries. Normally they apply to naval vessels or ships that would have a wartime function. That would include merchant ships." But he doubted "pleasure boats" would come under such restrictions and promised to consult the Maritime Administration's general counsel.

What the Maritime Administration's research disclosed was that Sears' sales restriction is indeed rooted in law – section 37 of the Shipping Act of 1916, which says it is unlawful during a war or national emergency to sell any vessel to any alien without approval of the Maritime Administration. The United States has been and continues to be under a state of national emergency declared by President Truman on December 16, 1950.

Under regulations last revised in 1963 the provisions of the anachronistic shipping act have been eased somewhat. For instance blanket approvals have been given to the sale of certain vessels to selected aliens. If a boat is under 65 feet in length, operates on less than 600 horse power, and displaces less than 45 tons, it can be sold to any alien except those holding citizenship in the trade group known as the XYZ Countries which currently include Hong Kong, Macao, Albania, Bulgaria, Czechoslovakia, East Germany, Estonia, Hungary, Latvia, Lithuania, Outer Mongolia, USSR, China including Manchuria but excluding Taiwan, North Korea, Communist-controlled areas of Vietnam, and Cuba. Any citizen, including a resident alien in the US, from any of these countries must obtain permission to buy a 16 foot canoe. Sears Roebuck would make the necessary application for him and the Maritime Administration would investigate it. One might think such applications were a rarity (the Boating Industries Association in Chicago, which represents manufacturers of sports boating equipment had never heard of any such restrictions on selling boats), but they do come up, particularly with Cubans resident in the United States. A spokesman for the Maritime Administration said he didn't know how many applications were received or what percentage of them were approved.

David Sanford

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The Nixon Watch

Busing and Politics

Mr. Nixon summoned Attorney General Mitchell and HEW Secretary Richardson to the White House for a private talk on April 21. The subject was the unanimous Supreme Court finding, announced the day before in two cases from North Carolina and Alabama, that the Constitution requires much more stringent and extensive measures to eliminate the remnants of racial segregation in the South's public schools than the President has thought either wise or necessary. All that is known of the discussion is that the President asked the Attorney General how he interpreted the decisions and told Mitchell and Richardson that he relied upon them to solve the problems the court had made for the Administration. It may be supposed, however, that Mr. Nixon restated in one way or another the rule that he imposed upon the federal enforcers of school desegregation soon after he took office. According to a White House assistant who is involved in the enforcement process, the Nixon rule is: "Do what you have to do, but don't raise any more hell than you have to when you do it."

Mitchell, Richardson, several White House assistants and subordinate officials at HEW and the Justice Department proceeded in the next four weeks to devise a response to the Supreme Court's decisions that would comply alike with them and with the Nixon rule. The response that emerged was in the form of a letter from HEW to the Austin, Texas school board, with a copy to the federal district court in Austin. The letter invited the court to require the Austin board, as urban school authorities throughout the South must eventually be required, to go a great deal farther than the board had proposed to go in breaking up the city's pattern of neighborhood schools, busing black and Mexican-American children from their home neighborhoods to white neighborhoods and schools, and busing white children from their neighborhoods into black and Mexican-American neighborhoods and schools. It is for the federal courts to say whether the HEW suggestions, combined with those already volunteered by the Austin board, satisfy the Supreme Court's criteria. But the HEW response seems to this layman to be a strong scheme for real desegregation. It calls for interneighborhood busing and other desegregation measures of a kind and on a scale that Mr. Nixon led the South, in 1968 and afterward, well into 1970, to believe it would never have to suffer so long as he had anything to do with the definition and enforcement of the law. The President had no choice, of course, but to make at least a show of compliance with the Supreme Court's decisions. He allowed his subordinates to do considerably more than that in the Austin letter, knowing as they knew that it was to be the approximate model for the Administration posture in the many other Southern cities and larger towns where previously proposed or approved compliance plans must be similarly revised.

The story of how the Austin response came into being is not a story that the Administration's guiding minds particularly want told. About all that's left of Mr. Nixon's Southern Strategy, after two years of battering at it by the federal courts, is the impression among his white constituents in the South "that he and his Attorney General and his HEW Secretary are reluctant enforcers of the laws and decisions requiring a total end to officially imposed racial segregation in the schools. That is why the President tells his enforcers to raise minimum hell in the South and says at every opportunity, in his public version of the Nixon rule, that he proposes to accomplish the required compliance by "cooperation rather than coercion." The facts hardly demonstrate anything that civil rights activists and believers in the basic rightness of desegregated education would call enthusiasm for the cause. But the federal courts' steady expansion of the legal requirement is actually less painful to the President and his senior counselors than they prefer to have journalists and others say it is. The Nixon enforcers, beginning with Attorney General Mitchell, welcome any development that tends to get the President and his Administration off the desegregation hook. They figure that this is what the Supreme Court and lower federal courts do when they, rather than the executive agencies, broaden the legal requirement. "Court decisions," a Justice Department official remarked last week, "can be very handy things."

A syndicated report of a meeting that Mitchell had at HEW with Richardson and other department officials on the same day he and the secretary conferred with Nixon illustrates the point. The report had it that Mitchell barged in upon the Richardson staff and, in a knockdown argument with HEW officials, demanded the slowest and most grudging response to the Supreme Court decisions that could be devised. Nothing of the sort occurred. The meeting was called for another purpose, the court decisions were mentioned only in passing, and Mitchell said nothing to discourage the preparation of an adequate compliance plan. Mitchell later told the responsible columnist that he was "180 degrees wrong," but he and his official spokesmen did nothing else to correct a widely published report. Mr. Nixon's spokesmen at the White House didn't lift a finger to correct a report that a similar confrontation occurred at a meeting of the President's Cabinet Committee on Civil Rights. The Court decisions were explained at that meeting, but there was no argument worth mentioning about the proper response. There was nothing to argue about:

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the inevitable decision to comply has been made, and the only question was how to do it without raising avoidable hell in Austin and elsewhere in the South.

Secretary Richardson and two other HEW officials, General Counsel Wilmot Hastings and Civil Rights Director Stanley Pottinger, submitted HEW's Austin plan to Mitchell at the Justice Department on May 12, three days before it had to be delivered to the Austin court. More than one junior official at HEW and Justice had predicted that Mitchell would never go for the recommended degree of busing and other desegregation measures. Like many other officials at the Administration's working levels, they had precisely the image of the President and the Attorney General that much of the public has. In this instance, Mitchell proved them wrong. He heard out a cold-turkey presentation of the details, agreed with Richardson that there was no practicable alternative, and rejected a suggestion from one of his own subordinates that less of the busing burden could be placed upon the white students in Austin's affluent sections and more of it upon the poorer whites who live near the black and Mexican-American sections.

Later that day, Hastings and Pottinger submitted the plan at the White House to Edward L. Morgan, the assistant who is charged by Nixon with coordinating and overseeing every Administration move on civil rights. Morgan made a change that was typically in keeping with the Nixon rule. Why not, he said, deliver the plan to Austin in the form of a friendly and flattering commentary upon the local board's previously submitted plan, rather than as HEW's complete and probably offensive alternative to the local plan? At the eleventh hour before a response had to be delivered to the Austin court, somebody at HEW thought of satisfying the court in two easy stages, first with a brief notice of intent to submit HEW's views and afterward with the HEW recommendations. Mitchell, asked what he thought of that idea, said he preferred to do it all at once. The Supreme Court had spoken on this issue, he said, and he wasn't going to play around with it.

Now the Administration's elaborate apparatus for conciliation, with the Cabinet Committee on Civil Rights at the top and seven biracial state committees in support, is gearing up to minimize the expectable hell. One of the conciliators is Harry Dent of South Carolina, the President's staff specialist in southern sensibilities and votes. Another is the Reverend Richard Scott Brannan, a Dent protege in the personal service of Secretary Richardson. Brannan is a Southern Baptist minister whose last pastorate was at Dent's church in Columbia. His job at HEW, as a special assistant to the Secretary, is to receive unhappy Southerners on Richardson's behalf and convince them, if he can, that the Nixon Administration is doing to them only what the courts and the law compel it to do. It is not a noble or ennobling technique. But the same general approach brought about more desegregation in the South in 1970 than anybody had reason to expect from Richard Nixon. If it works again, I for one won't be complaining.

John Osborne

Bella Abzug Beware

The 1971 Gerrymander

by Robert W. Dietsch

State legislatures are beginning to redraw political districts in accord with the Supreme Court's "one man, one vote" rulings and the population results of the 1970 census. The number of congressional seats that go to a state is, of course, determined mathematically, and the number of constituents in each political district must be approximately equal to the number in all other districts. But while the Court decisions have guaranteed equal population within districts, there still is no requirement that districts be drawn with geographic equity, no requirement that district lines be contiguous or that lines not be drawn between city blocks or even through the middle of an apartment house. As Gus Tyler and David I. Wells of the International Ladies' Garment Workers Union political department put it, "geographic equity in a district is just as vital as population equity. The way districts are designed within a state is left to manipulation that

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has historically been full of partisan distortion. The extent of this manipulation will be tested in the years ahead. . . . If the states misuse some of the court's recent rulings – as they have already been misused in some instances – the 1970s may well turn out to be the decade of the great gerrymander."

Gerrymandering has two basic purposes. One is to collect scattered votes into a single district that gives a party a better chance to win at the polls. The other is to lump all the opposition's strongholds into one large district, conceding it to the enemy but hopefully making adjoining districts safer for the other side. Before the one man, one vote rulings, sheer inequality of district populations was a common method of juggling the franchise; sometimes, but not always, the result was fanciful boundary drawing that characterized the original gerrymander. Today fixing of district boundaries will have to be more subtle, and gerrymandering in the true sense will become more frequent.

Cong. Emanuel Celler (D, NY), chairman of the House Judiciary Committee, has on several occasions unsuccessfully pushed legislation to curb gerrymandering. Celler would have done the job simply by adding to existing law a federal requirement that each congressional district be composed of "contiguous territory, in as compact a form as possible." Celler has been particularly piqued by gerrymandering put through by the Republican legislatures in New York State. In 1961, after redistricting in wake of the 1960 census, Celler complained that gerrymandering left New York districts resembling "wash hanging on the line, a quaint abstract painting and East and West Pakistan." Tyler and Wells have characterized the shapes of New York City's congressional districts as "The Jaws of the Wrench, The Upside Down Crocodile, The Camel Biting the Tail of the Buffalo Which Is Stepping on the Tail of the Dachshund, and the Cow That Jumped Over the Moon."

Some observers contend that the Supreme Court in its one-man, one-vote decisions put too much emphasis on population equality and not enough on the gerrymandering manipulations. In the original one-man, one-vote case in 1964 (*Reynolds vs. Sims*), Chief Justice Earl Warren noted that "indiscriminate districting without any regard for political subdivisions . . . may be little more than an open invitation to partisan gerrymandering." In 1966, Wells brought suit against New York State on grounds that its congressional districts were highly unequal in population and that boundaries were gerrymandered to favor Republicans. A Federal district court, siding with Wells, ordered the legislature to set up new districts more equal in population but the court skirted the gerrymandering issue. The New York legislature subsequently enacted new redistricting which reduced the maximum population difference among districts from 121,000 to 56,000, but without cutting down on gerrymandering. In fact, this time the legislature was no longer fully controlled by the Republicans; the GOP controlled the state senate but the Democrats had gained control of the house. The result, in Wells' words, was "a bipartisan gerrymander. Instead of favoring candidates of one party over the other, the new lines generally accommodated incumbents of both parties. This resulted in districts with unequal populations and cockeyed contours."

Wells went back into court to challenge the new redistricting. The Federal district court this time turned down Wells' plea, but on April 7, 1969, the Supreme Court sided with him – not on anti-gerrymandering grounds but on grounds that even minor differences to district population – "even those caused by a desire to avoid splitting counties, towns or cities" – were impermissible. In dissent, Justice John M. Harlan said, "The court's exclusive concentration upon arithmetic blinds it to the realities of the political process. . . . If the court thinks it has struck a blow today for fully responsive, representative democracy, it is sorely mistaken. . . . Even more than in the past, district lines are likely to be drawn to maximize the party temporarily dominant in public affairs."

As a result of the November, 1970, elections, Republicans are in full control of 11 state legislatures (that is, they have majorities in both houses or have enough votes there to override any gubernatorial veto by a Democrat), the Democrats are in full control of 19 state legislatures. Neither party is in full control of the other 20 states. In the 44 states where congressional district lines are to be redrawn between now and the 1972 elections (six states have only one congressman), Republicans are in control of nine, Democrats are in control of 21 and neither party is in control in 14. The significant gain for the Democrats as a result of last November's voting was not so much that they gained full control of many additional states (the only big one they picked up outside the South was Pennsylvania), but that so many states (including California, Illinois, Ohio and Wisconsin) were removed from the full control of the Republicans.

Wells is keeping his eye on New York, where suspicions already are rife that the Republican legislature will try to gerrymander away the seat, or seats, of Democrats William F. Ryan in the 20th Congressional District and Bella Abzug in the adjacent 19th District. New York loses two House seats as a result of the 1970 census results. (The other losers are Alabama, Iowa, North Dakota, Ohio, Tennessee, West Virginia and Wisconsin, one each and Pennsylvania two. The gainers are Arizona, Colorado and Texas, one each; Florida, three, and California, five.) In Virginia, the first state to redistrict itself under shifting population trends turned up in the 1970 census, critics charge that gerrymandering tactics were behind redistricting aimed

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at preserving the seat of Cong. Watkins M. Abbitt, a Democrat (Democrats are in full control of the state), while putting the seats of two Republicans, Joel T. Broyhill and William L. Scott, into a new single district.

In 1929, Congress voted to give itself the power to reapportion a state – to add or subtract congressional seats. At the same time, Congress gave states the authority to redistrict – to divide their congressional seats among the population. A Celler-type amendment would require state legislatures to draw up district boundaries as compactly as possible and with contiguous territories. In most states, redistricting laws are subject to gubernatorial veto. However, in eight states (Alaska, Arkansas, Hawaii, Michigan, Missouri, New Jersey, Ohio and Pennsylvania) legislatures have given up their direct authority to draw up state legislative (but not congressional) districts and handed the job to bipartisan or nonpartisan bodies. If more states hand redistricting powers to bipartisan or, preferably, nonpartisan groups, strict guidelines would be helpful. For example, Wells and Tyler suggest that "All districts must be geographically contiguous. No city block may be divided in the formation of districts; all districts must be equal in population except where deviations result from application of the rules listed below, but no such deviation may exceed two percent of the average population of all the districts; counties, cities and towns may be divided among more than one district only when such divisions are necessary to keep within the maximum allowable deviation in population, but such divisions must be limited to as few as possible; when the division of a county, city or town is unavoidable, and if a choice is possible among more than one unit, cities or towns shall be divided in preference to counties and more populous units shall be divided in preference to less populous ones; consistent with these rules, the aggregate length of all boundary lines shall be as short as possible."

Advocates for the Consumer

Who's the Boss?

by Simon Lazarus

On April 27, Mrs. Virginia Knauer, the President's Special Assistant for Consumer Affairs, had a very busy day. At 10 that morning she told the Senate Commerce Committee that the Nixon Administration is against any new law that would permit a class action lawsuit to be filed, unless the Justice Department had itself first sought and obtained a judgment against the defendant corporation. Mrs. Knauer then hurried to hearings before Rep. Holifield's Committee on Government Operations, where she reported the President's determination to keep tight control over any machinery Congress might set up to give consumer advocates greater status before federal regulatory agencies. The President, after all, is responsible for the performance of the bureaucracy and for the integrity of its programs. It would hardly suit his political convenience were gadfly lawyers to reveal that one agency after another has been faithless to its mandate.

Less than a week before the White House opened its attack on expanded advocacy for consumers, leaders of the public interest law movement met at Airlie House in Warrenton, Virginia, to compare notes on how administrative agencies can be made more accountable to the constituencies they are supposed to serve. Former OEO Legal Services Director Terry Lenzner doubted whether vigorous advocacy for the poor could flourish under the patronage of any President, not just the incumbent. Veteran poverty lawyer Edgar Cahn concurred: even legal services lawyers, who are supposed to challenge welfare officialdom, have been pressured to become "part of the vast bureaucracy charged with the care and tending of the poor and lacking in any accountability to the poor." Charles Halpern, whose Center for Law and Social Policy has successfully challenged the Department of Agriculture's toleration of DDT use and the Interior Department's promotion of the trans-Alaska oil pipeline, described the difficulties of effectively countering industry's legal representatives before regulatory agencies. One conclusion emerged: justice for the intended beneficiaries of welfare and regulatory programs will never be satisfactorily achieved, unless new govern-

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mental or quasi-governmental arrangements are devised; these arrangements must channel adequate resources to advocates for public interests, without at the same time subordinating advocacy programs to the political imperatives of the Executive Branch. In the poverty law area, a promising approach has been put forward. OEO attorneys have asked Congress to place the entire legal services program under a quasi-governmental corporation run by a board of directors on which the White House would share control with leading associations of the organized bar, with the federal judiciary and with members and clients of the program itself. [The developing struggle to enact this proposal is discussed in this issue, on p. 24.] But in the analogous battle for independent consumer advocacy, reformers are not yet ready for so sharp a break from traditional practices.

The Holifield Committee seems mainly preoccupied with a redraft of the proposal introduced last year by Rep. Ben Rosenthal (in the Senate by Abe Ribicoff) as the "Independent Consumer Protection Agency Act." I have previously criticized this bill [*NR*, September 26, 1970]. My complaint then and now is that if the administrator is appointed by the President, the new agency will turn out to be a paper tiger, despite the extremely broad powers vested in its administrator to challenge decisions of other federal agencies. Therefore, as Senator Philip Hart cogently put it in attacking the bill on the Senate floor last December, any administrator would surely feel "his first obligation to be not so much to the consumers of America, but to the President who appointed him." The more vigorously the administrator performs his job, the more political trouble he will create for his boss. Incredibly, the bill introduced in this session has made matters worse; unlike last year's measure, it does not even give the administrator the protection of fixed tenure, but provides instead that he shall serve merely at the pleasure of the President – just like Mrs. Knauer.

There are more workable alternatives. One is Senator Kennedy's "Public Counsel Corporation." Although this entity would be controlled by a presidentially appointed board of directors, as it now stands, it would have two features the Rosenthal-Ribicoff consumer agency lacks. In the first place, its primary mission would be to represent, on an attorney-client basis, specific public interest groups and individuals; this should tend to make its staff lawyers more accountable to public constituencies. In addition, the Corporation would contract out responsibility to public and private organizations dedicated to representing public interests before administrative agencies.

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A second proposal has been offered by Senator Hart. His "Independent Consumer Council" would be managed by a board of directors as free from presidential control as is the Red Cross. Its members would be elected by local chapters across the country; membership in these local chapters would be open to anyone.

A third approach has been suggested by the Center for Law and Social Policy in a 76-page commentary on the Ash Council's recommendations for restructuring the regulatory bureaucracies. These comments, which I helped prepare along with Center attorney Joseph Onek, emphasize that government could underwrite the costs of public interest advocacy *by private attorneys* on a case-by-case basis, just as courts do with indigent criminal defendants. Even under existing law, many regulatory agencies can pay for such advocates out of their own budgets, or, in certain cases, they can require industry participants themselves to finance lawyers speaking for the public interest in regulatory proceedings. Though this suggestion may seem radical, it is beginning to be implemented, in piecemeal fashion. Federal Trade Commission Chairman Miles Kirkpatrick has asked the Comptroller General to authorize payment of various expenses incurred by public interest intervenors in a case charging Firestone Tire & Rubber with deceptive advertising. Other agencies have been less generous. Although the Interstate Commerce Commission is explicitly authorized to pay outside attorneys "for proper representation of the public interest," the Commission recently refused to compensate lawyers for the Ad Hoc Committee on Consumer Protection who were challenging a rate increase for the transportation of fresh vegetables and melons; in the same case, the ICC refused to furnish the consumer challengers with a free transcript, invoking the bizarre excuse that to do so would "jeopardize" its "contractual relationship" with a private stenographic service regularly employed to transcribe Commission proceedings. Similarly, the FCC has refused to permit broadcast licensee KTAL-TV of Texarkana, Arkansas from reimbursing public interest representatives as part of a settlement in which the TV station agreed to improve service to the Texarkana black community, in exchange for the withdrawal of a petition to deny renewal of the station's broadcast license.

If Congress wants to lay a firm foundation for independent consumer advocacy, it should require that public interest representatives be compensated for their participation in regulatory proceedings. The SEC has long awarded counsel fees for the representation of unorganized classes of securities holders in reorganizations under the Public Utility Holding Company Act of 1935. It is a fitting commentary on our priorities that the same vital service is not provided for consumers, or environmental, minority or taxpayer groups.

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Advocates for the Poor

Legal Services, Inc.

by Ridgway M. Hall, Jr.

Legal Services has been at once the most successful and controversial of the OEO operations. A grass-roots law and order program, it affords a means of resolving often explosive grievances among the poor for whom justice in court has so often been inaccessible. While the majority of the 1,200,000 cases handled by its storefront lawyers over the past year were routine landlord-tenant, consumer fraud, social service or domestic relations matters, it has been the periodic test cases and law-reform activities that have caused political furor.

In 1967 California's Senator Murphy, at the behest of Governor Reagan, tried unsuccessfully to prohibit suits against government agencies, and in 1969 the US Senate passed a "Murphy Amendment" granting the governor of any state a veto over Legal Services programs. Immune from override by OEO, the veto would have deterred any poverty lawyer from bringing a politically controversial action on behalf of his client for fear of jeopardizing the entire Legal Services program in his state. The measure was defeated in the House only after a vigorous nationwide campaign by lawyers, bar associations, and client groups.

Last fall another battle was fought to prevent then OEO Director Donald Rumsfeld from carrying out his "regionalization" and "decentralization" plans, under which substantial control over policy and staffing of Legal Services programs was to be transferred from Washington to the more politically sensitive OEO regional directors. When regionalization was defeated, Rumsfeld fired Legal Services Director Terry Lenzner and his Deputy Director Frank Jones, both of whom had resisted the plan and have since become symbols of the poverty lawyers' commitment to clients.

Governors, mayors and other bureaucrats also have in some instances threatened to cut off funds and otherwise harass Legal Services. Governor Reagan annually vetoes the grant to California Rural Legal Assistance, which is widely regarded as the best in the country. Although in other years the veto has been overridden, this year the Nixon Administration responded by short-funding the program at a fraction of its former level for a six-month period pending investigation. (See "Reagan Versus the Poverty Lawyers" *NR*, January 23) In addition to posing serious ethical problems for lawyers, political interference in the attorney-client relationship has damaged morale in many offices, including the national OEO headquarters. A strong need exists to insulate Legal Services from political abuse.

Senator Walter Mondale has introduced a bill to establish a National Legal Services Corporation, structured to provide such insulation. Modeled after the Corporation for Public Broadcasting, its management would be vested in a 19-member board of directors, five of whom would be chosen by the President with the advice and consent of the Senate. One would be appointed by the Chief Justice of the United States after consultation with the Judicial Conference of the United States. Six would be on the board by virtue of their office: the President and President-elect of the American Bar Association, the President of the National Legal Aid and Defender Association, and the Presidents of the American Association of Law Schools, the American Trial Lawyers Association, and the National Bar Association. To assure representation of the views of clients and poverty lawyers themselves, three board members each would be selected by the newly created Clients Advisory Council and the Project Attorneys Advisory Council. The final member is the corporation's Executive Director.

The corporation would have broad authority to provide legal assistance to low-income persons, and conduct related research, training and educational activities. This includes rule-making authority for such purposes as establishing eligibility standards, and guidelines for the conduct of the local programs. During a six-month transition period, all operations now performed by OEO Legal Services would be transferred to the new corporation.

Responsibility to Congress and the public is insured by the requirements of an annual independent audit, an annual report to Congress, the public availability of records pertinent to all grants and contracts, and the applicability of the Freedom of Information Act. At the same time, the corporation is to operate free from political interference; no department or employee of the federal government is to have control over the corporation or its grantees.

This bill would be improved by the addition of a provision ensuring that before a local program's funding is terminated it should be entitled to notice, a hearing, and due process of law. It is in complete reliance on federal funding that such programs obtain

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and equip facilities and hire lawyers and staff, and it is usually disastrous for them if this funding is suddenly withdrawn.

The idea of transferring Legal Services to a corporation has broad support. The Mondale bill is cosponsored not only by such Democratic supporters of Legal Services as Senators Edmund Muskie and Alan Cranston, but also by Republican Senators Taft, Case and Brooke. Similar bills introduced in the House of Representatives also enjoy bipartisan support.

The White House approves the principle of incorporation but has its own bill, which is very different from Mondale's. It calls for: 1) a board of directors appointed by the President, and 2) major restrictions on law reform activities. The Administration's bill prohibits representation in criminal proceedings, prevents grants or contracts with law firms devoting 75 percent of their efforts to litigating in the public interest and forbids Legal Services lawyers from engaging in legislative activities except on request from the legislators. Lobbying on behalf of clients is restricted.

Curtailing legislative activity by Legal Services lawyers, notwithstanding President Nixon's assurances to the contrary, would rob the program of an effective instrument for law reform. Frequently not only poverty groups, but state and local government officials have called upon Legal Services programs to draft or recommend legislation dealing with problems involving the poor, notably housing and welfare problems. This has produced some outstanding legislation. The restriction also runs afoul of Canon 8 of the Code of Professional Responsibility, which directs each lawyer to work for law reform through legislative and other means whenever he believes the need is there. Similarly as to lobbying, just as effective representation of a paying client may include lobbying, so should it be permitted in the case of a nonpaying client.

A ban on the use of public-interest law firms would be equally crippling, since the poor have many problems that can best be dealt with by such firms. Though the ban is expressed in terms of litigation, many lawyers believe it would also apply to firms conducting research which leads to litigation. This would cut the heart out of such organizations as the Urban Law Institute, the Columbia Center on Social Welfare Policy and Law, and the Harvard Center on Law and Education, which have been invaluable in pinpointing needed law reform and performing research which the Legal Services programs are not equipped to do.

Even under present law no federal funds may be used for criminal cases, though funds from other sources may be. The Mondale bill would permit the corporation to set its own policy on this issue, which seems preferable in view of the inadequacies of the present public defender system.

The thorniest issue is the board of directors. The Administration wants eleven members, all appointed by the President that virtually assures that Legal Services policy will be made on the basis of political rather than legal considerations, by persons beholden to the White House.

Underlying the clashes over Legal Services has been the problem of accountability. Critics of the program argue that poverty lawyers must above all be accountable to the taxpayer, and to the government as the taxpayer's representative. The lawyers rightly counter that they are ethically bound to give their first loyalty to their clients, and if protecting a client's legitimate interests requires bringing a politically unpopular action, the action must be brought. These arguments generally assume that accountabilities to the taxpayer on the one hand and to the client on the other are mutually exclusive. In fact they can be reconciled. The advantage of the corporation is that through an independent board of directors it can shield the lawyers from political harassment, while assuring that the programs carry out the statutory mission of providing proper services to the poor.

The superiority of the Mondale bill is in part the result of its drafting by poverty lawyers (including two former national directors of OEO Legal Services) with first-hand knowledge of the needs of the community. Although some provisions in the Administration bill are preferable, such as its three-year funding requirements to avoid annual hassles in Congress, on balance the Mondale bill is the near-unanimous choice of the Legal Services lawyers.

Not all problems will be solved by incorporation. Once Legal Services is out from under the protective umbrella of OEO, it will have to stand on its own for funding requests from Congress. Similarly its departure from OEO is causing many to fear for the future of remaining OEO community action programs. With hearings under way and scheduled into June, the battle lines are drawn. Action for Legal Rights, an ad hoc organization led by Michael Kantor, who was formerly in charge of research and development projects in the Legal Services national office, is working on a shoestring to gather public support for the Mondale bill. Meanwhile Administration spokesmen are burning the phone wires to Capitol Hill. While the Mondale bill has much support in the Senate, Congressman Steiger's identical bill in the House appears headed for trouble despite favorable testimony from lawyers, bar associations and client groups.

The future of Legal Services will largely depend on how Congress resolves the question of accountability. If the integrity and effectiveness of the program are to be preserved, political insulation of the type prescribed in the Mondale bill is essential.

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Stanley Kauffmann on films

La Collectioneuse

(Pathe Contemporary)

Summer of '42

(Warner Bros.)

Eric Rohmer may be an acquired taste, but I'm certainly acquiring it. Now we have the third of his *Six Moral Tales*, made in 1967 before *My Night at Maud's* and *Claire's Knee*, and I see by the papers that I'm not supposed to like it. Even those who like the later Rohmer (seen here earlier) have called *La Collectioneuse* a rough sketch or a parody of what was to come. I disagree. I think it's a good, fulfilled work in its own way.

Again Rohmer gives us a protagonist who becomes interested in a younger woman and ends up with an older woman to whom he was linked originally. Again passion is more examined and discussed than created. Rohmer is more interested in the effect of desire on thought and action than in the creation of heat.

For those who want only clear-cut drama and swift movement – and who doesn't like those things, too? – Rohmer will certainly seem static. For those willing to be engaged on a smaller scale, who like implications as well as statements, Rohmer is rewarding. He provides the extra dividend of all extraordinary film-makers: the sense that an artist has made the medium his own, shaped it to his psyche and inquiries. In this case the tone is reflective and quiet – but only superficially quiet.

I would not suggest that Rohmer is on a level with the great Japanese director Yasujiro Ozu who, in a quiet film like *Tokyo Story*, managed to encompass the most profound reaches of contemporary life. I do suggest that Rohmer, like Ozu, understands that motion in film has more than one aspect.

Again Rohmer has put his film in a beautiful countryside during summer. Adrien, an antiques dealer, is sharing a house near St. Tropez with Daniel, a non-painting painter. Haydée, a stunning girl of 19, is brought there by another young man who leaves her there. Adrien and Daniel dub Haydée "la collectioneuse," the collector, because of the number of (presumable) lovers who keep taking her out at night. She has nothing to do with either of the two principal men until well along in the story, and then only with Daniel.

There is a prologue in several short sections. The first shows Haydée walking on a beach in a bikini; then the camera roams over her, close-up, articulating her body. In *Claire's Knee*, a mature man's fancies about a nearly juvenile girl were distilled almost to disembodiment by his fantasy about her knee. Here the prologue tells us that Haydée's body is the figurative theater of this story and that intercourse, not fantasy, is the dynamics. I don't understand those who think that this difference between the two films is one of grossness.

After the components of the story have been set out, it begins, with Adrien narrating on the soundtrack. (The film is in French, with subtitles.) The narration is in English. This jars. Why not subtitles for the narration as well? Adrien, who is about 10 years older than Haydée, imagines himself to be playing a sort of cat-and-mouse game with her, but, as in other Rohmer films, we see that the mouse is controlling the game. And we see that Adrien secretly knows this but cannot admit it to himself; or us. In time, with what he pretends is ironic dispensation, he makes a move toward her and is rudely rebuffed; but later she allows him to use her as bait for a rich American who is to subsidize a gallery for him. So she continues to dominate.

At the very end it seems that she is going to sleep with Adrien. They're driving back to the house when they meet a car with two men she knows, who are going to Rome. She gets out to speak to them, and declines their invitation to accompany them. Adrien has to move his waiting car out of the road. But when he starts, he just keeps going and leaves her with the other men. In the last scene he is making arrangements to join his mistress (whom we saw in the prologue) in London.

There is one brief shot of Haydée making love with a youth and there are a few caresses of her, but the film gets most of its sexual charge simply from her presence. Her being – her body, curves, breath, glance – is the constant mockery of the inner stances that Adrien thinks, or pretends, he is assuming toward her. At the end he flees; again pretending that he is disposing of her but really because he is afraid of being trapped by forces he can't control. Most of the film's tension comes from the contrast between the calm camaraderie of the trio in the villa, who are merely amiable much of the time, and the rationalized heats that are boiling in Adrien, particularly after the girl takes Daniel as a lover.

Haydée Politoff, the girl, is perfect: the personification of lithe young sex

(Continued on Page 39)

Films Worth Seeing

Claire's Knee. Sixteen-year-old Beatrice Romand is superb in Eric Rohmer's quiet, intelligent *pas de quatre* of muted desire. French classicism lives! On film!!

The Confession. Yves Montand's face is the political map of 20th-century Europe in Costa Gavras' ingenious film about the 1952 purge trials in Czechoslovakia.

Derby. A stark quasi documentary about a young factory worker who wants to get into roller derbies. Robert Kaylor, director and cameraman, gets the feel of the races and the world they enliven.

The Hour of the Furnaces. Four hours and 20 minutes of Argentine revolutionary propaganda by Fernando Solanas. Politically questionable but marvelously made and quite unforgettable. (Being shown mostly on college campuses.)

Little Big Man. Dustin Hoffman is better than Arthur Penn's film, but there are humor and bite in this picaresque morality tale of a Western trapper who lives alternately in white and Indian cultures.

Wanda. Who cares about poor people these days – in art? Barbara Loden: who wrote and directed and plays the lead in this small, good work about a numbed victim of US coal-field life.

SK

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Can We Help Our Cities By Leaving Them?

Rural Poverty and the Urban Crisis: A Strategy for Regional Development by Niles M. Hansen

(Indiana University Press; $12.50)

French Regional Planning by Niles M. Hansen

(Indiana University Press; $12.00)

As an economist turned urbanist, this reviewer was among those thoroughly pained when the Nixon administration clasped two eminent urbanists, Daniel Patrick Moynihan and Edward O. Banfield, to its powerful bosom, and then smothered our decaying cities with "benign neglect" and with proposals for a revenue sharing program geared to the small town and well-off suburbs. Along with the neglect has gone the petulant accusation that those urbanists back in the university or on *The New York Times* are the real source of the urban crisis since they exaggerate it. Maybe we petulants should unite – we have nothing to lose but our pains.

There is nothing novel in noting that this anti-urban animus in our nation's capital goes back to Washington and Jefferson, to the very founding of our federal system. But what is unique is the evolution of an explicit urban policy that is, if not anti-urban, non-urban. At the cabinet regional meeting in Indianapolis on February 19, 1970, the Nixon-Moynihan statement expressed the need for a national urban policy geared to "helping cities which have been over-populated with migration from rural areas by making the rural areas more attractive places to live." So one fixed up the cities by helping people leave them.

This focus was picked up and emphasized by other Republican worthies such as Warren Knowles, then governor of Wisconsin, who indicated that his state's urban policy was to stem migration to the cities by "instituting a rural renaissance." And more recently Agriculture Secretary Clifford Hardin recommended several measures which would help millions of Americans move out of crowded cities and into "restful tranquility throughout the rural areas of the United States." Also, Senator James Pearson (R, Kan.) and twenty other Senators introduced a series of rural development bills to promote the "overall quality of American life" by stimulating the development of smaller rural communities.

But of course the cities are already subsidizing the hinterland. Agriculture price support programs maintain a standard of living in the rural areas with urban money. Additionally, as Stephen Horn illustrates in *Unused Power* (Brookings, 1970), the western and southern states have historically been over-represented on the Senate Appropriations Committee, which is the strategic apex of the money dispensing federal system.

More important, the workings of most tax and expenditure systems at the state level have the same rural bias. Recently a state representative in Wisconsin complained that 20 of the state's 72 counties, holding a 6.7 percent of the population, received more from the state government than they paid out in taxes. One county received more than $750,000 over taxes paid. But one assembly district in Milwaukee sent $4.5 million more to the state than it received back. Any urban policy which increases support for the "development" of the countryside by such disproportionate taxation must be described as negative policy at best. And this is exactly what the urban policy of Nixon's New Federalists seems to be. Moynihan, influenced by the work of another Cambridge colleague, Jay Forrester (*Urban Dynamics*, MIT, 1969), helped work it out before his departure. His thesis goes that to stop migration to the cities in search of higher incomes and access to services, and the resultant overcrowding, we need to raise incomes in the rural areas and small towns by making them better places to live. Indeed this process has already begun, largely however by allowing the big cities to become worse places to live. For example, our most celebrated slum, Manhattan, has become such a foul place that executives refuse to be promoted to their New York head office.

I oversimplify the wisdom of the New Federalism, but such thinking does fail us in important ways. It fails to define overcrowding or to provide standards by which we can decide on an optimum sized urban population. It fails to note that our metropolitan areas, even in our most urban states, average out to lower densities than some entire countries in Europe (Metropolitan Milwaukee, with 917 persons per square mile, is less crowded than charming little Holland with its density of 938 per square mile). Also neglected is any assessment of the extent to which jobs, rather than incomes, can be exported to the countryside. Can the job-creation process which Jane Jacobs and others claim is unique to cities, be effectively exported even under the most favorable conditions to rural and smalltown America?

Moynihan, Banfield and company – a company that in fairness should include urban affairs officials before the Nixon administration – have been ask-

Encounter

I lift the small brown mouse
Out of the path and hold him.
He has no more to say,
No lilt of feet to run on.
He's cold; still soft, but idle.
As though he were a stone
I launch him from my hand;
His body falls away
Into the shadowed wood
Where the crackling leaves rain down,
Where the year is almost over.
"Poor creature," I might say,
But what's the use of that.
The clock in him is broken.
And as for ceremony,
Already the leaves have swirled
Over, the wind has spoken.

Mary Oliver

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ing the wrong questions, have misunderstood the nature of urban problems and have been unable to correctly identify all the parts of the system in which cities grow and naturally renew. Niles M. Hansen, who perhaps represents a new breed of urbanist, may be an antidote. Hansen's two recent volumes on regional planning correctly relate urban maldevelopment to interregional migration from lagging areas to the *wrong* urban points, and propose, thus, urban policy that would ride with the punches and encourage natural growth patterns rather than trying to build an improbable rural condition.

In *French Regional Planning* Hansen provides us with the first extended examination in English of the comprehensive system of regional planning which has evolved in France during the last two decades. The details of the French attempt to ward off and reverse the hyper-urbanization of Paris are interesting in themselves. More significant is the way in which Hansen attempts to combine his examination of the French experience with the development of a model which systematically relates regional development and population balance with public investment decisions. Three types of regions are identified: congested, intermediate and lagging. For each, Hansen describes three developmental phases and a proper mix of public and private investment activity. In the final phase for all three regions he prescribes that public policy should establish fixed limits on expansion in congested areas (but not leave them to decay in the center); that social overhead be concentrated upon investments in human resources in the lagging areas so that people there may be helped to move to the growth points in the intermediate regions; and finally that in the intermediate regions public and private investment be rapidly increased to absorb population up to a certain manageable level.

In *Rural Poverty and the Urban Crisis* Hansen juxtaposes his model with an examination of American regional growth. "What happens to people" is the question uppermost in his mind, perhaps because he did this study for the Office of Manpower Policy in the Department of Labor. Noting that Northern urban problems have traditionally been caused by outmigration from the South he observes that the South, though accounting for 60 percent of all rural out-migrants, experienced a net in-migration of 2.6 million people between the 1940 and 1960 censuses. These were middle income Northerners heading for a number of growing Southern cities. Between 1940 and 1960 the total population of Southern cities with 100,000 or more population, excluding Florida, grew from 5.6 to 10.3 million, an increase of 83 percent compared to 16 percent in areas outside the South. This trend continues and is also affecting the Black population. The average annual net out-migration of Blacks from the south in 1968 was only half what it was in the 1940's. From March 1966 to March 1967 the south lost 149,000 Blacks but gained back 93,000. Hansen attributes this reversal to the fact that where median Black family income in Northwestern cities was 39 percent above that for them in the South in the forties, by 1967 there was only a 7 percent difference, a trend no policy maker should ignore in trying to cope with future migrations.

What the trend means is that there has been a rapidly expanding "growth frontier" which has been absorbing a great deal of inter-city migration. Meanwhile however the rural poor have been dumping themselves, unskilled and untrained, in the slum housing of the Northern Central cities, and without regard for the capacity of these cities to absorb them. It has been particularly the middle-sized urban places which have had fast population growth, that is, cities of less than 500,000. During this period the failure of national and regional urban policy in the United States has been the failure to link the growth processes in these intermediate cities with the rural out-migration from the lagging regions.

It is obvious that regional policy in the United States has been conceived and developed on the assumption that it is possible to attract industry to lagging rural regions and that highways should be the principle item of federal expenditures to "open them up." Seventy-five percent of the outlays authorized under the Appalachian Regional Development Act of 1965 are for highways. The relative neglect of programs to improve the quality of skills in lagging areas stems from this preoccupation with luring economic activity which never gets lured. The concomitant failure to deal with outmigration results from the concern with places instead of people. In early 1966, for example, Lexington and Louisville, Kentucky, had unemployment rates of 1.9 and 3.5 percent, whereas eastern Kentucky had unemployment rates soaring to 30 percent; yet no systematic effort was made until recently to establish a relocation program within the state. Meanwhile, the desired kind of relocation could not take place naturally, because vacant low income housing does not exist in the immediate growth areas, and local government and highway interests in lagging areas are unwilling to invest their meager fiscal resources in human resource development.

It is also noteworthy that in the Economic Development Administration a "worst-first" or place-before-people policy has been followed. Even the effort to channel grants through economic growth centers has resulted in misallocations. Of the 80 development centers so designated in 1968 the average population was only 38,192, the median population was 24,145 and only 13 had more than 50,000, although all the evidence seems to indicate that few cities of less than 50,000 have significant influence on the welfare of the surrounding region.

Hansen suggests a different course. First there has to be an explicit articulation of a coherent and comprehensive people-not-places plan for areas of rapid growth. Up to now the rapid-growth areas have been areas of no-policy, since they have had less need for federal subsidies. What Hansen generally proposes is as follows:

> If a federal subsidy can accelerate growth in a center which is already growing, and if this subsidy is made conditional on providing employment opportunities for residents of lagging areas, then it might well be more efficient . . . to tie into the growing environment than to attempt to create growth in a relatively stagnant area by putting in water and sewer.

Hansen reports that it is difficult to find any case in France, Italy or Quebec where hothouse efforts to promote the development of large lagging regions have met with success. The low level of services, skills and auxiliary business contact have proved to be impossible barriers to overcome. He believes that labor markets need a minimum population of about 250,000 to become viable parts of the urban systems, and he proposes that a new

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urban policy should focus on aiding the expansion of cities of more than 50,000 population to reach that threshold. At the same time he suggests that a properly constituted relocation employment service (featuring flexibility, strong direction and improved demand and supply data) could help to direct both rural and central city migrants to these genuine growth centers. Finally, for those remaining in the lagging areas he urges direct welfare rather than artificial stimulation.

Implicit in Hansen's sweeping analysis is the realization that concentration is the genius of the city, its reason for being. What many cities need is not less people but more. Decentralization of our urban society will just destroy more environment, lead to new inefficiencies and involve costs which will be disproportionately borne by our older cities.

Gary Gappert

The Years of Frustration

Crazy Sundays: F. Scott Fitzgerald in Hollywood by Aaron Latham

(Viking Press; $7.95)

Aaron Latham makes a good deal out of how insensitive to and ignorant of F. Scott Fitzgerald's previous accomplishments Hollywood was during the three years the author of *The Great Gatsby* spent there at the end of his life. When Edwin Knopf, story editor at MGM, suggested to Louis B. Mayer that Fitzgerald be hired as a screenwriter, Mayer asked, "Scott who?" This reaction was echoed by others from the studio's higher echelon, one of whom inquired, "What's he done lately?" Two years, and numerous frustrating experiences and abortive film-writing efforts later, producer Walter Wanger approached young Budd Schulberg and asked if he would like to collaborate with Fitzgerald on a script. Schulberg's response was, "My God, isn't Scott Fitzgerald dead?"

Unfortunately, Latham's anecdote-dotted account offers very little support for a negative answer to Schulberg's question. Creatively, Scott Fitzgerald was, one might reasonably assert, deceased in Hollywood long before the December afternoon when he collapsed and died in the apartment he shared with gossip columnist Sheilah Graham. Only the posthumously published *The Last Tycoon*, an unfinished Hollywood novel based on the career of producer-director Irving Thalberg, offers much evidence of the talent which produced his earlier fiction, and while *The Last Tycoon* is fine, its incompleteness tends merely to sustain the proposition that the Hollywood years were largely waste.

In the fact of waste lies the basic and I think insurmountable weakness of *Crazy Sundays*. Aside from an adaptation of his great short story, "Babylon Revisited," called *Cosmopolitan*, which appears to have been an excellent screenplay (nonetheless, it was not produced until 1954, when it came out, drastically rewritten as *The Last Time I Saw Paris*), there is apparently very little worthy of attention. One must say "appears to have been" because it is a further serious limitation of *Crazy Sundays* that Latham inexplicably was not permitted to quote from many of the scripts he discusses. This reduces his book even more to a series of sometimes amusing but more often pathetic biographical tidbits. For these, he draws heavily upon previously published reminiscences by Miss Graham, Schulberg and Lillian Hellman, as well as on the researches of Fitzgerald biographers Arthur Mizener and Andrew Turnbull. He has, however, accumulated a few entertaining and occasionally enlightening new recollections through interviews with Fitz-

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gerald's Hollywood friends, principally Helen Hayes, Anita Loos, Frances Goodrich, and Albert Hackett.

The result is a faithful reconstruction of Fitzgerald's daily existence in the movie capital; and, in this respect, *Crazy Sundays* is successful. A lively first chapter describes a typical day in 1938, from daylight hours spent in an office crammed with Coca-Cola bottles (which he consumed to avoid drinking something stronger) and at lunch in the commissary with Dorothy Parker, Anita Loos, Ogden Nash, S. J. Perelman, and, occasionally, Groucho Marx, to evenings spent either at parties which he hated and eventually shunned, or at home with Miss Graham. On the latter occasions, the pair would often act out the leading parts in scripts in progress to help Fitzgerald solve rewriting problems.

Fitzgerald was in Hollywood twice previous to 1937. The first time was in 1927 when he came to write a screenplay for Constance Talmadge and eventually made a screen test himself at the urging of starlet Lois Moran who wanted him as the leading man in her next film. The screen test was a failure; the script which Fitzgerald wrote was never used; and he went back East, only to return late in 1931. This time he was hired by Irving Thalberg for five weeks at $1200 a week to write a screen adaptation of Katharine Brush's novel, *The Redheaded Woman*. This project also fell through, when Thalberg disapproved of Fitzgerald's script and of his behavior at an infamous Sunday afternoon tea given by Thalberg and his wife, Norma Shearer, during which Fitzgerald sang a lullaby to a poodle. This last was the basis of the Fitzgerald story which gives Latham's book its title.

The first third of *Crazy Sundays* deals with these two early and brief Hollywood visits; but they, not surprisingly, do not provide enough worthwhile material. Latham thus must pad the chapters with descriptions of Fitzgerald's youthful interest in the movies and drama and with summaries of the role movies and movie stars played in his pre-1937 fiction. This emphasis on his early life tends to distract the reader from what ostensibly is Latham's subject, Fitzgerald in Hollywood, and confuses him as to just what the book is about and what Latham's purpose was in writing it.

The remainder of *Crazy Sundays* is devoted to those final three Hollywood

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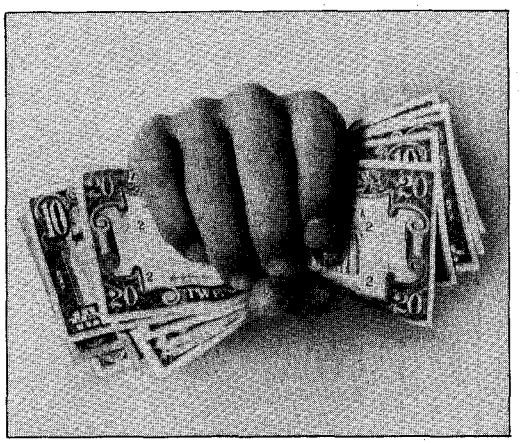

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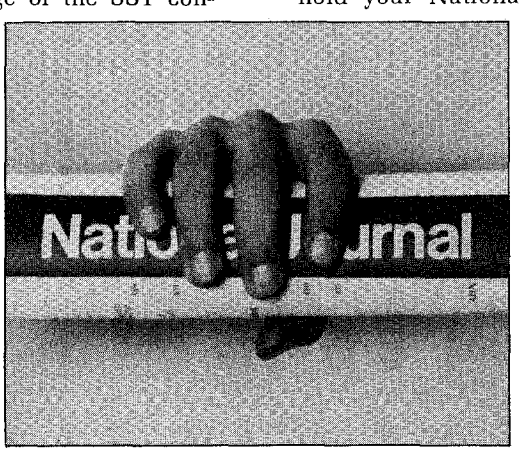

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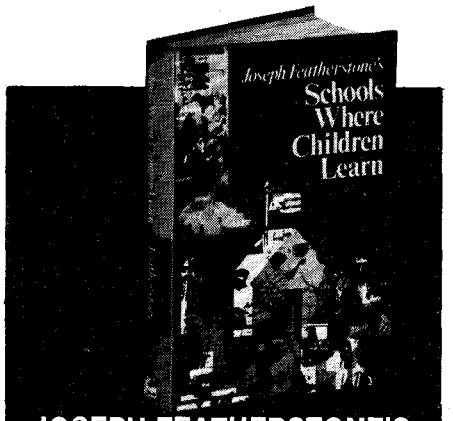

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years of frustration and disappointment, when Fitzgerald's ambition to write a successful screenplay ("Scott would rather have written a movie than the Bible, than a best seller," a friend once observed) was continually thwarted. The culprits – at least they were culprits from Fitzgerald's point of view – were men like dictatorial producer Joseph L. Mankiewicz who rewrote two-thirds of Fitzgerald's script for *Three Comrades* (ironically, this was the only film for which Fitzgerald ever received screen credit) or industry censor Joe Breen who blackballed *Infidelity*, the script Fitzgerald wrote for Joan Crawford after carefully studying her previous films for a month. Other unrealized projects included an adaptation of Clare Booth's *The Women; Madame Curie*, on which he collaborated briefly with Aldous Huxley; the ill-fated *Winter Carnival* with Schulberg, who later based his novel *The Disenchanted* on their disastrous alcohol-drenched on-location visit to Dartmouth; *Cosmopolitan*; and even for a brief period *Gone With the Wind* where Fitzgerald complained that he was "absolutely forbidden to use any words except those of Margaret Mitchell; that is, when new phrases had to be invented, one had to thumb through as if it were Scripture and check out phrases of hers which would cover the situation!"

This section of the book provides almost no analysis, evaluation or specific quotation from the scripts. The long chapter on *Three Comrades*, for example, gives no indication as to whether Latham feels Mankiewicz was justified in altering Fitzgerald's script. There is a strong implication throughout that he wasn't, but no substantive reasons are given.

Throughout the book, Latham, aside from relying on Hollywood gossip, frequently uses passages from Fitzgerald's fiction to fill in the gaps in his biographical narrative. While works like *The Last Tycoon* surely have some basis in the actuality of Fitzgerald's life in Hollywood, there is no excuse for continually splicing together fiction as if it were fact. In the end, this technique, along with the padding in the first third of the book and the dubious value of Fitzgerald's scripts, leads one to question whether Fitzgerald's Hollywood years deserve such extended attention. Undoubtedly, as Latham points out, during the 1937-1940 period, the nature of Fitzgerald's fictional methods was influenced by his screenwriting. His capitalized admonition to himself in his notes for *The Last Tycoon*, "ACTION IS CHARACTER," surely results largely from his efforts in his screenplays to create meaning through action and images rather than relying on dialogue. Latham also notes that Fitzgerald's female characters changed too during this time, through his real-life encounter with Sheilah Graham and his celluloid meetings with Madame Curie and others, until he created, in Kathleen, the heroine of *The Last Tycoon*, a strong, self-reliant woman who could help her man through life rather than being the flighty eccentric gadfly and burden upon the men in her life that many of his earlier heroines had been.

But all this is surely more properly and efficiently the subject of a long article. Fitzgerald felt so depressed by his Hollywood experiences that he once wrote himself a postcard which began, "How are you? Have been meaning to come in and see you." He probably would be appalled by the importance and value Latham confers upon those experiences.

Jackson R. Bryer

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More Heat Than Light

The Enemy
by Felix Greene

(Random House; $8.95)

When Felix Greene first wrote about and filmed the Chinese Revolution there was a sense of discovery about his work that made it refreshing and important. Particularly his films, which seemed a sort of revolutionary travelogue of China, were vital to the non-expert in Far Eastern affairs in the early 1960s because of the lack of accessible material – particularly first-hand material on China – that did not stem from some bitter adherent of the Nationalists. But the openness of the reporter does not always translate well equality and fake religion. All of *Enemy*, Greene's latest book, is the exploration of new territory for himself as a writer and as a practicing revolutionary. The result is a statement of faith and the documentation of what must have been the reason for the author's decision to join the revolutionary struggle.

Greene's book is a series of points scored against world-wide imperialism. Rejecting a "balanced" accounting, he condemns imperialism, by which he means the international economic and political relationships of the United States, for its failure to provide decent living conditions even for its own citizens, for its promotion of exploitation and war, and for its bankrupt moral vision. By turn, Greene deals with each of what he considers the spurious defenses of the American system which for him is only a system of unbridled exploitation of the world in the interests of the few. His chapters range from a short history of modern society to several essays on foreign aid (his best). Each adds to the case he makes, but also to the impression that the whole essay is the confession of someone who has changed his mind about society and about himself. The book is a revelation of the manner in which good-intentioned Americans, British, and undoubtedly Greene himself, are being used for the purposes of exploiting the underdeveloped world. These arguments seem well aimed, for the book will undoubtedly be read by American liberals who more than anyone else are probably susceptible to arguments about participatory guilt.

Evidence that this is Greene's purpose is the rather puzzling range of sources which he quotes. Many of them are old, by fourteen or fifteen years, and some are outdated, as if the author had written up a collection of clippings. There are no new facts, nor any revealing juxtapositions of separately known facts, and no new arguments to convince where others have failed. Indeed, the arguments appear to be those which persuaded Greene himself to take his stand for revolutionary work. Although he intends to present an objective indictment of imperialism we can only be convinced on those other grounds of morality that seem persuasive to Greene himself. What begins as an attempt to persuade rests largely on ironies, the exposure of half-truths, and our own sense of personal responsibility for what has happened to the world; in other words the best arguments of the moralist.

All of the dilemmas of the current world situation, Greene argues, can be related to the larger problem of finding and defeating the enemy. Part of the problem is the pervasiveness of imperialism; it exists in world relationships which create tributary states, and it exists in each individual in terms of self-inflicted hesitancy and self-deception which makes everyone a client of hypocrisy. For Greene, the ideals that most Americans believe in are false, the descriptions of society are misleading, and created by a class order driven to greater lies and more preposterous manipulations by each revelation of weakness. There is false democracy, false social mobility, false equality and fake religion. All of these qualities are now being undercut by a revolutionary world based in rationality, civility and science.

Greene's view of the enemy sounds a great deal like that of many 19th century Socialists. This is particularly evident when Greene pauses to comment on youth culture and young revolutionaries, and reminds them that drugs are political opiates and that self-liberation generally entails someone else's oppression. The possibilities of revolution seem religious in Greene's hands, especially in his secularized millennial faith in progress, in technology, and the new man. His mood of course fits the current revivalism that has lightly touched a few of the political and social movements in America, particularly in communes; but he turns faith to political purposes, and advises the creation of a political party, presumably a Leninist party with self-discipline and order, although he is never precisely clear on this point.

Ultimately the book fails because the author, as he admits, sees no need to present the good as well as the bad aspects of capitalism. In one stroke he thus tosses out the complexities and converts his indictment to rhetoric. For the weaknesses of American society lie not so much in the hypocrisies others so clearly see us committing, but in its contradictions and contrariness. It will not do, for example, to contend as he does that racism is merely a device invented by ruling groups to separate black and white workers. Nor can warfare and violence be entirely blamed on property. Similarly, although much in youth culture is self-serving, there is much that is healthily social. And particularly in the past few years, the predominance of spontaneity and political experimentalism has been a good antidote to the dull puritanism of earlier forms of political leftism.

On the whole, Greene's revolutionism is not very well considered, and I suspect that underneath it all there is more pure indignation than radicalism. "The revolutionary," as he says, "above all wants passionately to quit the world of pretense and enter the world of reality and action." Unfortunately, the wish to be on the other side does not always develop into a clear understanding of who the enemy is and how he may be defeated.

James Gilbert

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Daddy Reaffirmed

Don't Shoot— We Are Your Children by J. Anthony Lukas

(Random House; $8.95)

This collection of ten excellent profiles of young radicals provides a useful journalistic complement to Kenneth Keniston's 1960s studies, *The Uncommitted* and *Young Radicals*. Keniston's focus was on "the personal roots of radicalism," and so, though less formally, is Lukas'. Like Keniston, he is sympathetic to his subjects personally and, one infers, politically. Like Keniston, he leaves me impressed by the earnestness and essential decency of these youths, but much irritated by their sentimentalism, self-dramatization and moral arrogance – and annoyed at long passages of their clumsy introspection and monotonous rhetoric – for Lukas goes overboard in letting them tell their stories largely by themselves.

The book draws its inspiration from a story Lukas did for *The New York Times* on Linda Fitzpatrick, the wealthy Connecticut girl who was murdered in Greenwich Village with a "hippie" companion. Reading the expanded version in this book, one recalls why the story deserved the Pulitzer it got: it is a subtle, tough, understanding, revealing piece of work. It set wealthy households in anguish all over the country, for it suggested that happy suburban families are all alike: they have unhappy children.

But Linda is slightly out of place here. The theme of the rest of the book is that happy radical families are all alike – they have happy radical children. As Keniston observed, young radicals tend to be the children of parents "who have principles and care for their children." ". . . among the radicals in this book," Lukas observes, "I saw little evidence of outright rebellion or hatred of their fathers. I found far more evidence of continuity with their parents, especially their fathers." Lukas' title may be excessively melodramatic, but it does make the point.

Similarly, the title suggests another conclusion that Keniston also reached, in *Young Radicals:* that these alleged "revolutionaries" are in fact far more wedded to traditional moral, ethical and even political principles than is generally realized. ". . . the basic values of the young radical are ancient and familiar," Keniston wrote; "the only startling fact is that he takes these values seriously and proposes that American society and the world set about implementing them." Of one New Left son of Old Left parents Lukas writes, ". . . *he feels strongly that his values and* goals are very close to theirs." The central purpose of his book seems to be to show that the old ties to the past are not being shattered – that, rather, the young are attempting to make their lives and society testimony to the best their heritage taught them.

Undoubtedly that is true of many, including the most appealing of Lukas' subjects; I think particularly, perhaps with some regional bias, of two young Southerners. But generally it is not adequate, on either Lukas' or Keniston's part, to place such emphasis on parental influence. In several cases, the radicalism of Lukas' subjects seems to spring from motives that are either capricious or unidentifiable. One youth is, when we meet him, a 1950s admirer of Secretary Dulles, "but within a year he was taking positions which would hardly have cheered Mr. Dulles." Why? What happened? It is admirable

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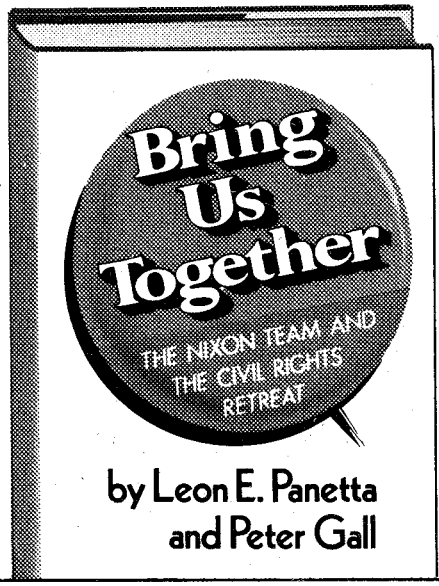

by Leon E. Panetta and Peter Gall

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that Mr. Lukas modestly leaves the reader to draw his own conclusions, but in this case there is scant evidence on which to draw them. Why, then, is his case included as an instance of parental influence?

Likewise, the politics of Jerry Rubin is more a matter of ego-tripping than of serious protest against injustice, and Lukas' efforts to trace it to admiration for his father seem more in tune with the rest of the book than with Rubin. But in being the politics of self-gratification, Rubin's is all-too-characteristic of the youth movement. Throughout the Lukas book we see self-gratification in all its contemporary manifestations: sex and drugs; solidarity-with-the-workers sentimentalism; moral self-righteousness ("I shall stand before the jury, armed only with my moral convictions, and attempt to make them understand my heartfelt message"). That the Old Left has passed on a lot to the New Left is undoubtedly true; that the politics of self-gratification was part of the legacy seems most unlikely.

Jonathan Yardley

Notable

The Weekend Man
by Richard B. Wright

(Farrar, Straus and Giroux; $6.95)

A great deal has been made of the fact that Richard B. Wright, the author of *The Weekend Man*, is a Canadian. We are supposed to be self-centered, here in America, hence unconcerned with what goes on in other countries, among them our neighbor to the north. Perhaps Mr. Wright will take no great satisfaction from that kind of thinly disguised pity; and, anyway, his novel gives every evidence that he is unconcerned with geography or with what our social scientists call "social customs." If there is a spirit that informs *The Weekend Man* it is a philosophical one, almost a religious one. The hero, if such he is, sells textbooks. At 30 he is not quite a failure, but no great success, either. He is separated from his wife. He puzzles and infuriates his family and those he works with. He seems lost, bewildered, a touch mad. While others at the office plan and scheme and calculate, and dream of what tomorrow will bring – success, power, glory – Wes Wakeham goes to parties, observes wryly the madness of everyday life, and keeps an eye out for beautiful women.

The novel has no final resolution. Rather, one is made to feel what existentialist philosophers like Sartre and Camus have put into formal essays, or what thousands of twentieth century men laugh about and cry over in their well-lit and air-cooled offices. If the weekend man is of a tradition it is one that crosses national boundaries. One is made to think of Walker Percy's *The Moviegoer*, whose central character also had grave doubts not only about himself but the brash, aggressive, unquestioning world he saw around him. *The Weekend Man*, like *The Moviegoer*, is a first novel, and demonstrates similar promise. The Canadian Mr. Wright shares with one of our finest Southern novelists a wonderful sense of humor, the ability to tell a good story, a wry sense of detachment, and perhaps best of all, the ability to take note of the weaknesses and vanities we all have without, as a result, becoming misanthropic. It is no small achievement.

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NOTES ON CONTRIBUTORS

JACKSON R. BRYER *and* JAMES GILBERT *teach at the University of Maryland.* GARRY GAPPERT *is a member of the department of urban affairs at the University of Wisconsin.* JONATHAN YARDLEY *is the book editor of the* Greensboro Daily News.

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The Seventh Day: Soldiers' Talk About the Six-Day War
Avraham Shapira, principal editor

(Scribner's; $6.95)

According to a recent poll, most Israelis recognize the need to hand back slices of the land conquered in the Six-Day War. At the same time they distrust Egyptian President Sadat and think themselves superior to the Arabs morally and intellectually. More tolerance is shown by Israeli veterans who saw massive Arab misery in the 1967 campaign. It is the tape-recorded reminiscences and round-table exchanges of these veterans that give certain pages of *The Seventh Day* the flavor of an obsessively remembered nightmare.

One Israeli infantryman was relieved when the Arab he was firing at showed his heels and got away. A nurse suddenly aware of the Jewish casualties around her was surprised to find her mind filled with "murderous thoughts." A sergeant-major accused himself of sadism – and attributed all wars to this universal disease – as he recalled his struggle against the "desire to look at corpses." But more typical were those who handled civilians on the other side with tender scruples, and dreamed of peace.

The majority of the Israelis who went through the 1967 campaign were apprentices facing terrors that had no precedent in their lives. Some looked to the battlefield as a gymnasium in which to flex their muscles and publicly prove their manhood, but for the larger number the campaign was a cruel necessity, a testing of the skill to survive, a time for self-assessment and the analysis of "anguish . . . nausea . . . inner compulsion" and "awful repugnance."

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Correspondence

Ardor and Effectiveness

Sirs:

I have been unsettled by TRB's view that Senator Muskie lacks "fire in the belly."

The one thing of which I am most sure is that zeal, gesture and flair are far more important as theatrical qualities than as prerequisites to sound analysis of policy alternatives. My observations of Senator Muskie during my brief residency here in Maine convince me that he is willing to reexamine basic premises, to study, to learn and to grow. I am also convinced that he recognizes that there is no final solution to any society's problems (if for no other reason than that solved problems leave room for new problems) and especially that no single charismatic personality can singlehandedly revolutionize our sociopolitical institutions (although an intelligent man of goodwill can do a great deal to change them). In short we all detest wars, pollution, racism and the rest; the only issue is the pragmatic one of how (not whether) to eliminate them as rapidly and efficiently as possible. It is high time that Democrats and liberals (especially those of us who are both) stopped evaluating candidates on how colorfully they can state the obvious and began instead to seek a candidate who can effectively bring resources to bear on solution of the problems. I am troubled to think that the editors and readership of *The New Republic* might be more impressed by charisma than hard work and might treat as insufficiently committed a United States senator and former governor who worked hard on urban and environmental problems for a decade before they became sexy.

Apart from my confessed preference for Senator Muskie, however, I am concerned about the demand for zeal and, I believe TRB once said, "anger" to the subordination of analysis. I submit that zeal bears zero correlation to effectiveness and is thus much overrated as a credential for presidential candidates. (In some cases, in fact, I would expect that zeal impedes effectiveness.) Unless the *sincerity* of the candidate is genuinely in issue, I would suggest that emphasis on his apparent ardor is not terribly relevant and that as evidence of sincerity it is not totally reliable. . . . I hope that nobody is chosen because TRB finds his belly to be sufficiently warm.

Gerald F. Petruccelli
Cape Elizabeth, Maine

Dissent and Disorder

Sirs:

As an enthusiastic reader of The New Republic, I feel compelled to protest your editorial of May 15, "Dissent and Disorder." . . . When for the past three years, to no avail, these young people have demonstrated in large numbers in Washington, in our cities, and on campus for an end to this war, what tactics do you suggest to stop the killing? . . . I met a number of the young

NOTICE TO OUR READERS

The combination of recent postal increases, salary increases, and higher printing and paper costs make it necessary for *The New Republic* to announce a boost in the regular subscription price from $12 to $14 per year. The $12 rate will be continued, however, through December 31, 1971.

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people from the "free wheeling multitude." They were teachers, probation officers, mental health workers, and other respectable career and student types. They had been beaten and gassed and their personal property confiscated or wantonly destroyed (it was necessary to loan them clothing until theirs could be laundered before we could talk to each other). They had been subjected to unbelievable legal injustices, all in our nation's capital. I am not defending the use of drugs, but was it any worse than in our own armed forces in Vietnam? The actions of some demonstrators were perhaps intemperate, but that is no excuse to turn logic around and welcome or condone police-state methods. Just what sort of tactics do you expect from young Americans nurtured on the "American Dream" when they wake up and find out it is a Nightmare? I do not feel the need to apologize for them. Instead, I feel indebted to them for their tenacity in attempting to turn things around. If it takes disruption to show up this administration for what it is, then I've reached the point where I'm for it.

Margaret E. McCurdy
McLean, Virginia

War Business

Sirs:

In "The 'Antiwar' Bank" (April 10) the writer states: "Najeeb Halaby, president of Pan American World Airways, which made 50 percent of its profits in 1968 from transporting men and material to Southeast Asia . . ."

Pan Am's net income after taxes – profit – that year totaled $49.2 million. Military Air Command and Rest and Recuperation flights that year brought in a before-tax profit of $1,989,000, less than one-tenth of what the writer stated.

Mort Young
Sr. Manager – Public Relations
Pan American World Airways

Sirs:

Harlan Vinnedge, in your May 15 Correspondence columns, confuses two influences on the corporate scene. Discussing the hypothetical refusal of a company to bid on military business, he writes ". . . officials would have faced very serious questions from their stockholders. . . ."

The reprimand would have come from the board of directors. Until very recently, and effectively even today, stockholders are not permitted to raise such questions. At least, so Dow and Honeywell claim. Putting aside the realities of stockholder power, however, I think we need not weep too long over Vinnedge's "unrecovered costs." His company, General Electric, grossed a billion a year in military and paramilitary business for the weapons systems decades. The profits, and some nimble accounting, covered a *lot* of unrequited proposals!

H. R. J. Grosch
Washington, DC

Kauffmann, *from page 26*

and airy sexual power. Patrick Bauchau is very attractive as Adrien. The American is played by Seymour Hertzberg, reportedly a pseudonym for Eugene Archer, a former film critic of *The New York Times*. Well, at least he's a better actor than Rex Reed.

Again the clothes – such common items as shirts and sweaters – are chosen with exactness, so that their color and texture enrich the film. Nestor Almendros, again Rohmer's cinematographer, makes a seamless environment of people and things; Politoff's body (as seen by Adrien) is part of the same cosmos as the rounded pebbles shining under the sea. All the elements are distilled by Rohmer into what must again be called a classic style: a view of art in which form is not only the preserver of experience but the ultimate insight into it.

Robert Mulligan began *Summer of '42* with a three-in-one good stroke. This is the story of a 15-year-old boy and his two pals, and Mulligan cast and directed the boys very well. Gary Grimes, the sensitive hero, Jerry Houser, the (obligatory) plump friend, and Oliver Conant, the (obligatory) bespectacled friend, could not be improved on.

But from that initial stroke, the picture is all – well, not downhill but on a plateau. Of schmalz. Impeccable schmalz. The kind of seriousness, out of TV, that dares us to say it's not art. Isn't it dealing with adolescence? In summer? With lots of soft focus and shots of the sky, and lots of dreamy music? And all that nostalgia, for God's sake.

The screenplay is by Herman Raucher, from his novel. (Or vice versa?) This time, the summer in which the adolescents discover sex is 1942, instead of the present, as in the Perrys' *Last Summer*. An island of beach houses, with World War II offscreen. Out come the period songs, bathing suits, dances, movie posters, etc. Of course they are unavoidable, but there is a certain facile reliance on these details to prove integrity, to summon up chuckles and rue.

And all the nostalgia is summoned up to very little end. There are the usual skits of sex-discovery, and the skit about buying contraceptives (remember *A Kind of Loving*?), this time extended in frankness. The sensitive lad, naturally, won't lay just anyone, as his pal does; his mind is full of a beautiful young wife living alone while her husband is overseas. The night he goes up shyly to visit the wife, she has just had the telegram about her husband's death. (The only real reason it has to be '42. But then why not Vietnam?) In her grief she takes the boy to bed. Instead of groveling on a sandy blanket with a green girl, he is in a big bed with a beautiful young woman. So, you see, sensitivity pays.

Note. Last week there were proofreading errors in two sentences. Corrections herewith. On Woody Allen: "As a director and actor, his talent is absolutely zero." On romance in films: "The biggest success of 1970 was *Airport*; the biggest of 1969 was *The Love Bug*."

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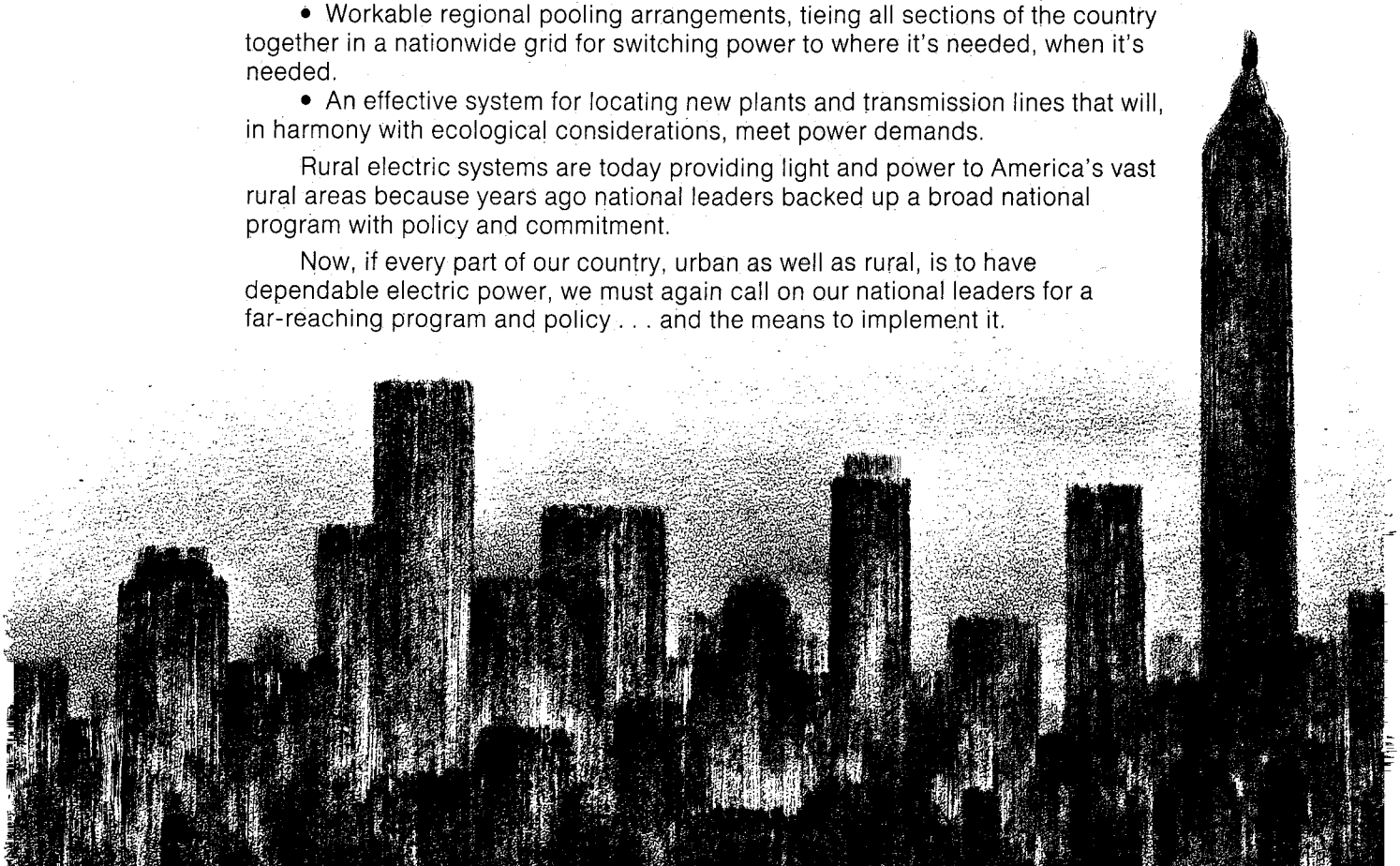

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